

**To:** nathan.hunerwadel@state.co.us[nathan.hunerwadel@state.co.us]  
**From:** Acevedo, Janie  
**Sent:** Sun 8/23/2015 8:26:48 PM  
**Subject:** FW: CO Mine Spill Clips - 8/19

**ABC 9 Local News Colorado**

<http://www.9news.com/story/news/local/2015/08/19/gold-king-mine-recovery/31967057/>

**9NEWS gets tour of Gold King Mine**

Steve Staeger got a look at the cleanup efforts in the Gold King mine. 9NEWS at 9 p.m. 08/18/15. KUSA

Steve Staeger

KUSA 10:30 p.m. MDT August 18, 2015

KUSA – 9NEWS Reporter Steve Staeger got a new look Tuesday at the Gold King Mine, where 3 million gallons of toxic water spilled into the Animas River, devastating communities downstream.

The water was accidentally released by EPA crews earlier this month.

Todd Hennis, the owner of the mine, took Staeger on a tour of the area that is still discharging more than 500 gallons of contaminated water per minute.

Hennis' theory is that after the EPA backfilled the portal shortly before winter, that water backed up behind the wall of dirt and rock. He thinks when crews came back to dig it out, it blew out.

The EPA will not confirm this theory.

Meanwhile, the EPA is holding contaminated water in tanks before treating it on its way back to the Animas River.

The Department of Interior announced Tuesday it will conduct an internal review, and hopes to have an idea of the cause in 60 days.

### **Albuquerque Journal (NM)**

<http://www.abqjournal.com/630508/news/review-of-spill-damage-urged.html>

### **Review of spill damage urged**

By Dan Boyd / Capitol Bureau Chief

PUBLISHED: Wednesday, August 19, 2015 at 12:05 am

SANTA FE – Five state lawmakers are urging members of New Mexico’s congressional delegation to pursue federal legislation that would mandate an independent review of the damage caused by 3 million gallons of mine waste spilling into a tributary of the Animas River and possibly provide financial compensation for affected communities and individuals.

In a letter sent Tuesday, the five legislators – four of whom represent northwestern New Mexico districts – said the legislation is needed in the aftermath of the spill, which occurred Aug. 5 and was caused by U.S. Environmental Protection Agency workers who were inspecting an abandoned gold mine near Silverton, Colo.

“The EPA’s actions this past week are inexcusable and will have a lasting effect throughout northwest New Mexico,” the legislators said in their letter. “We are optimistic that you will pursue legislation to begin rectifying what the EPA has done and to reassure residents along the San Juan River that the federal government will accept full responsibility for the spill and take measures to ensure that it never happens again.”

The five lawmakers, all Republicans, who signed the letter were House Majority Leader Nate Gentry of Albuquerque and Reps. Rod Montoya of Farmington, Paul Bandy of Aztec, Sharon Clahchischilliage of Kirtland and James Strickler of Farmington.

Gentry said having an outside review into the spill would help restore public confidence, saying, “With the people of that area, there’s not a lot of trust right now in the EPA.”

The EPA has apologized for the mine waste spill, which released lead, arsenic, cadmium and other toxic heavy metals into the tributary of the Animas River. The river flows from Colorado into New Mexico, where it joins the San Juan River.

Although the Animas River was recently reopened for recreational activities, the spill caused five New Mexico water systems, including those of Farmington and Aztec, to temporarily stop pumping water from the river, forcing them to rely instead on water storage reserves.

As a precedent for the idea of compensating individuals affected by the mine spill, the legislators cited legislation that was signed into law by then-President Bill Clinton after the 2000 Cerro Grande Fire in Los Alamos. The fire started from a prescribed burn set by the National Park Service to clear out brush at Bandelier National Monument. It was whipped out of control by wind and ended up burning nearly 43,000 acres and destroying hundreds of homes.

Several members of New Mexico’s congressional delegation have already reacted to the Animas River mine spill.

U.S. Sens Tom Udall and Martin Heinrich and U.S. Rep. Ben Ray Luján – all three are Democrats – have called on President Barack Obama’s administration to expedite water quality

testing and address a shortage of potable water. In addition, Heinrich introduced legislation last week that would change federal mining regulations so royalties from mining companies could be collected to help pay for environmental cleanup efforts.

A spokesman for Luján, whose congressional district includes northwestern New Mexico, said the representative has already raised the issue of compensation with EPA Administrator Gina McCarthy.

“Congressman Luján made it clear to Administrator McCarthy, both when he spoke with her after the spill and again when he met with her in Colorado and New Mexico, that EPA has a responsibility to compensate all those impacted by the mine spill,” Luján spokesman Andrew Stoddard said in a Tuesday email. “State, local, and tribal governments as well as individuals, farmers, and business owners must be made whole, and he will work to hold EPA accountable for the short-term and long-term costs of this spill.”

Gov. Susana Martinez has also issued a state of emergency in the aftermath of the mine spill, freeing up emergency state funding, and announced this week that she is forming a team to study the spill’s long-term impact.

Both Bandy and Strickler, chairman of the House Energy, Environment and Natural Resources Committee, have argued in the past against tougher state rules for oil and natural gas operators, but Gentry said Tuesday that the issues are different.

“It’s not as though the oil and gas producers were dumping their waste into the San Juan River,” he told the Journal. “This was an obvious and direct environmental catastrophe.”

### **Arizona Daily Sun (AZ)**

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[http://azdailysun.com/news/local/adeq-and-az-game-and-fish-to-monitor-fish-at/article\\_3c7eb791-7b28-5b37-9dd8-085df70b24e1.html](http://azdailysun.com/news/local/adeq-and-az-game-and-fish-to-monitor-fish-at/article_3c7eb791-7b28-5b37-9dd8-085df70b24e1.html)

## **ADEQ and AZ Game and Fish to monitor fish at Lake Powell after mine spill**

8/19/15, 9:30 EDT

The Arizona Game and Fish Department and Arizona Department of Environmental Quality are teaming up to monitor fish at Lake Powell and Lees Ferry after the Gold King Mine spill.

The two departments released a statement Tuesday afternoon saying they will collect a broad spectrum of environmental samples, including water and tissue samples from fish, over the next few weeks at Lake Powell, Lees Ferry on the Colorado River and Glen Canyon Dam.

On Aug. 5, employees from the U.S. Environmental Protection Agency and workers from a contractor hired by the EPA caused the spill when they were inspecting the mine near Silverton, Colo. The spill caused more than three million gallons of mine waste and tailings to flowing into Cement Creek, a branch of the Animas River. It has also contaminated the San Juan River and Colorado River, which are fed by the Animas River.

“Although the dilution and travel times are great, the potential impact, both short-term and long-term, to fish and other natural resources in Arizona must be properly evaluated,” said AZ Game and Fish Fisheries Chief Chris Cantrell.

All of the samples should be collected by AZ Game and Fish and ADEQ by mid-October and will be analyzed for heavy metals. They will be compared with samples that the two departments took last week.

Game and Fish said last week's samples are currently being analyzed. ADEQ hopes to have the results soon and will compare those results with the state's water quality standards and historical water data from the area.

Officials from Game and Fish said the already diluted plume of mine waste, will become even more diluted in Lake Powell. The plume is estimated to be about nine acre feet water; the lake currently holds 13 million acre feet of water.

Game and Fish and ADEQ estimate that it may take 18 months to two years for the plume to work its way through the lake to Glen Canyon Dam.

**Associated Press (via Watertown Daily Times, WI)**

[http://www.wdtimes.com/news/national/article\\_13e962a7-cd7e-594c-9971-9136c406b585.html](http://www.wdtimes.com/news/national/article_13e962a7-cd7e-594c-9971-9136c406b585.html)

**Interior Department to lead review of Colorado river spill**

Posted: Wednesday, August 19, 2015 8:57 am

WASHINGTON (AP) — The Interior Department will lead a review of the Colorado mine spill that tainted rivers in three western states.

The review was announced late Tuesday after elected officials from both parties questioned whether the Environmental Protection Agency should be left to probe its own heavily criticized response to the disaster. EPA and contract workers accidentally unleashed 3 million gallons of contaminated wastewater on Aug. 5 as they inspected the idled Gold King mine.

The Interior Department's report is expected to be released publicly in 60 days.

In addition, EPA's inspector general is conducting a separate review of the incident. Leaders of oversight committees in both the House and Senate say they are planning hearings after Congress returns from its August recess.

**Associated Press (via Elko Daily News NV)**

[http://elkodaily.com/twinfalls/ap/washington/epa-watchdog-investigating-toxic-mine-spill-in-colorado/article\\_2db89c0f-583d-5a59-ba5f-b0c36d37c222.html](http://elkodaily.com/twinfalls/ap/washington/epa-watchdog-investigating-toxic-mine-spill-in-colorado/article_2db89c0f-583d-5a59-ba5f-b0c36d37c222.html)

## **EPA watchdog investigating toxic mine spill in Colorado**

August 17, 2015 2:43 pm

By MATTHEW DALY

WASHINGTON (AP) — The inspector general for the Environmental Protection Agency is investigating the cause of a massive spill from an abandoned Colorado gold mine that unleashed 3 million gallons of contaminated wastewater into rivers that supply water to at least three states.

The inspector general's office said the investigation also will focus on the EPA's response to the Aug. 5 spill from the defunct Gold King Mine near Silverton, Colo.

EPA and contract workers accidentally unleashed 3 million gallons of contaminated wastewater as they inspected the idled mine. The spill released heavy metals such as arsenic, cadmium, lead and mercury into a tributary of the Animas River, turning the river sickly yellow and raising concerns about long-term environmental damage.

The spill affected rivers that supply water for drinking, recreation and irrigation in Colorado, New Mexico and Utah as well as the Navajo Nation.

A diluted toxic plume reached Lake Powell, a huge reservoir 300 miles downstream that feeds the Colorado River and supplies water to the Southwest.

The inspector general's office said the investigation comes in response to a congressional request.

Lawmakers from both parties have criticized the EPA's response as slow and overly cautious. Leaders of oversight committees in both the House and Senate say they are planning hearings after Congress returns from its August recess.

EPA Administrator Gina McCarthy has said her agency takes full responsibility for the accident and expressed deep sorrow for the environmental harm caused to the Animas and San Juan rivers.

McCarthy traveled to Colorado and New Mexico last week following bipartisan pressure from congressional delegations in the two states. Lawmakers from Utah, Arizona and other Western states also have blasted the EPA for a response many call insufficient.

"Among the most basic and simple questions that Coloradans want answered after the Gold King Mine spill are, 'What is in the water?' and 'Is it safe?'" Sen. Michael Bennet, D-Colo., said last week.

Bennet called the EPA's initial response to the spill "too slow and inadequate" and said testing for water quality and sediment levels was proceeding too slowly.

A spokeswoman for the EPA declined to comment Monday. But McCarthy said in Colorado last week that her agency will conduct internal reviews and hire an outside agency to conduct an independent review.

"No agency could be more upset about the incident happening, more dedicated about doing our job and getting this right," McCarthy said. Mine remediation operations throughout the country are being scrutinized to ensure they are being safely performed, she said.



There are about 500,000 abandoned mines nationwide. The EPA has estimated the cost of cleaning up abandoned mines nationwide, not including coal mines, at between \$20 billion and \$54 billion.

Officials in New Mexico have lifted water restrictions for the Animas and San Juan rivers imposed after the spill. The San Juan flows into the Animas and also was polluted.

Colorado has reopened the Animas River to boating, while Utah has allowed San Juan River water to be used for crop irrigation and livestock.

Meanwhile, the EPA released new data for contamination in the San Juan River between Farmington and Shiprock, New Mexico.

The highest sample for total lead was 250 parts per billion on Aug. 8 west of Farmington, where the San Juan flows into Navajo lands, the agency said. That's five times the federal drinking water standard for humans.

The Navajo Nation is waiting for test results from its own Environmental Protection Agency before deciding whether to declare the San Juan River safe for use. Navajo President Russell Begaye has advised tribal members not to let livestock drink from the river and to shut off irrigation systems fed by the river, but the tribe has not physically barred anyone from accessing the water.

Spokesman Mihio Manus said officials have drawn samples from the part of the river that runs through the northern portion of the reservation, but he wasn't sure when tests would be complete.

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Associated Press writers Felicia Fonseca in Flagstaff, Arizona, and Michael Biesecker in Washington contributed to this report.

**Associated Press (via the Coloradoan, CO)**

<http://www.coloradoan.com/story/news/2015/08/18/utah-attorney-general-not-rushing-to-sue-epa-over-mine-spill/31955159/>

**Utah Attorney General not rushing to sue EPA over mine spill**

AP 6:33 p.m.

MDT August 18, 2015

SALT LAKE CITY (AP) — Utah's Attorney General said Tuesday he's not rushing to sue the Environmental Protection Agency over a massive spill of mine waste accidentally unleashed by its workers, but the agency needs to be held accountable.

Sean Reyes told Utah lawmakers that he first wants to see how the EPA proposes to fix the damage to the state's waters. Legal action will be on the table if the agency's actions fall short, he said.

"I want to give the administrator a chance to prove her commitment and her promise that they will held be fully accountable and they will hold themselves to the highest standard," Reyes said. "What that means is yet to be seen."

Utah lawmakers called for an independent investigation into the Aug. 5 spill from an abandoned Colorado gold mine and the EPA's response. The 3-million-gallon spill sent heavy metal-laden wastewater flowing into Utah and at least two other states.

Rep. Mike Noel, a Kanab Republican who represents Utah counties heavily affected by the spill, said the agency initially downplayed the magnitude of the disaster and a private company would likely face hefty fines for such an accident.

The toxic plume has now reached Utah's Lake Powell, the huge reservoir that feeds the Colorado River and supplies water to the Southwest.

Utah Sen. Margaret Dayton questioned whether waiting to sue is a good idea. "The more time we give them, the more damage is done," said Dayton, a Republican from Orem.

But Reyes said a hastily filed lawsuit can become a headache if new information undermines its legal basis. He plans to visit the site of the spill near Silverton, Colorado, on Wednesday.

Meanwhile, U.S. Rep. Rob Bishop has visited Lake Powell. The chair of the House Committee on Natural Resources said joint congressional hearings on the spill could start in mid-to-late September.

"No one will know what the long-term effects are going to be," the Republican congressman said in an interview after his Monday visit. While preliminary tests indicate the now-diluted toxic plume poses little danger to Lake Powell, that hasn't been confirmed yet and some people have canceled trips to the area popular with tourists and fishermen, he said.

Bishop said EPA officials were slow to share information about how the leak happened and what was in the wastewater. "Had this been a private company, heads would have been rolling well before now," he said.

The EPA inspector general is also investigating the cause of the spill that released heavy metals, including arsenic, cadmium, lead and mercury. The waster turned the Animas River sickly yellow and contaminated waters in New Mexico and the Navajo Nation.

EPA Administrator Gina McCarthy has said her agency takes full responsibility for the accident.

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**Associated Press (via Colorado Springs Gazette)**

<http://gazette.com/ben-carson-slams-epa-in-colorado-visit/article/1557593>

**Ben Carson slams EPA in Colorado visit**

Associated Press

Updated: August 18, 2015 at 6:44 pm

DURANGO — Republican presidential candidate Ben Carson took a helicopter tour Tuesday of the southwestern Colorado river affected by this month's mine wastewater spill and said the Environmental Protection Agency, which caused the spill, must be held accountable.

From the air, Carson saw the Gold King Mine near Silverton, Colorado, where the spill originated, before he addressed about 2,000 people in a Durango park.

Carson characterized the EPA as dominated by "a bunch of bureaucrats who don't know a bunch of anything," according to The Durango Herald.

"What's the long-term impact as metals seep into the ground ... and animals ingest them?" he asked.

An EPA-supervised crew doing investigation work at the Gold King Mine triggered the spill on Aug. 5. The metals-laden spill temporarily closed the Animas River and spread downstream into New Mexico and Utah.

The EPA took responsibility and has opened a claims process. Attorneys general from Colorado,

New Mexico and Utah have vowed to monitor the agency's reparations and take legal action if necessary.

**Associated Press (via CBS Denver)**

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<http://denver.cbslocal.com/2015/08/18/utah-lawmakers-to-be-briefed-on-massive-mine-waste-spill/>

**Utah Lawmakers To Be Briefed On Massive Mine Waste Spill**

August 18, 2015 12:27 PM

SALT LAKE CITY (AP) — State lawmakers are expected to be briefed on a massive spill from an abandoned Colorado gold mine that sent toxic wastewater flowing into Utah and at least two other states.

Utah Attorney General Sean Reyes is set to speak to the State Water Development Commission on Tuesday.

He has said that Utah will make sure the Environmental Protection Agency is accountable for the spill accidentally set off by its workers on Aug. 5, though he hasn't said whether the state will sue.

The toxic plume has now reached Lake Powell, the huge reservoir that straddles the border with Arizona and feeds the Colorado River and supplies water to the Southwest.

U.S. Rep. Rob Bishop visited the site Monday, and says the EPA should answer for the spill and its aftermath.

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**Associated Press (via KTAR News, AZ)**

<http://ktar.com/2015/08/17/navajo-nation-doing-its-own-water-testing-after-toxic-mine-spill/>

## **Navajo Nation doing its own water testing after toxic mine spill**

By Associated Press

August 17, 2015 @ 3:33 pm

FLAGSTAFF, Ariz. — The Navajo Nation said it's waiting for test results from its own environment officials before deciding whether to declare the San Juan River safe for use.

Tribal President Russell Begaye has advised Navajos not to let livestock drink from the river or use the water for crops.

Although public outrage followed almost as quickly as the spill itself, EPA toxicologist Deborah McKean said the sludge moved so quickly after the spill that it would not have even "caused significant health effects" to animals that consumed the water.

Meanwhile, New Mexico has lifted water restrictions for the Animas and San Juan rivers, and Colorado has reopened the Animas to boating. Utah also has given the OK for San Juan River to be used for crops and livestock.

Begaye spokesman Mihio Manus said the tribe's Environmental Protection Agency

is analyzing water samples following a leak of contaminants at a Colorado gold mine. The Aug. 5 spill sent a plume of pollutants downstream into the San Juan

River.

Last week, the Arizona Department of Environmental Quality said the spill caused no damage to Arizona's surface, ground or drinking water.

Data collected within 24 hours of the spill showed that contaminant levels were approximately 50 percent lower after moving about 10 miles downstream from the Animas River, according to a recent press release. Lake Powell, where the river first enters Arizona, is located 250 miles further downstream.

Although ADEQ officials believe Arizona is in the clear, they are still taking several precautions to address potential future impacts, such as monitoring the water quality of Glenn Canyon Dam, which flows into Lake Powell, and coordinating with several state agencies to monitor the pollution levels in surrounding areas.

KTAR's Jim Cross and Jessica Suerth, along with the Associated Press, contributed to this report.

### **CBS Denver**

<http://denver.cbslocal.com/2015/08/19/venture-inside-gold-king-mine-source-of-animas-river-spill/>

### **Venture Inside Gold King Mine, Source Of Animas River Spill**

August 19, 2015 6:21 AM

DURANGO, Colo. (CBS4) – CBS4 got the first look inside the source of the toxic spill on the Animas River, at the Gold King Mine where millions of gallons of contaminated water were released.

The EPA admits it's responsible, and the Department Of Interior announced Tuesday that it's launching an independent investigation into how it happened.

Dressed in helmets, protective glasses and vests, CBS4's Rick Sallinger got the first close up look at what's been called an environmental catastrophe.

A task force escort of ATVs ascended 13,000 feet above sea level where the portal of the Gold King Mine is found.

Here, a giant cavity and crushed timbers now remain where a plug once sealed the mine and the water within.

Millions of gallons of toxic water temporarily turned the Animas River into an eerie, orange nightmare, for which the EPA has accepted responsibility.

Gold King Mine owner Todd Hennis says he never should have let the federal government in four years ago.

When asked if that laid the groundwork for what happened, Hennis responded, "Yes. I basically turned over the property and environmental remediation to the EPA. I had no choice."

The agency is now managing the emergency clean up. Water that continues to flow from the mine is now directed into a series of cleansing ponds.

Workers in protective suits measure the water quality as waste continues to discharge through at a much lesser rate.

Hennis pulled out maps that he says show the water could have originated in an adjacent mine, but whose owners deny it.

"All connected, all showing a mass of workings. Like spider webs," Hennis said.

He warns there is much more water buried in these abandoned mines.

"It may not look like it as we stand here, but we are standing on a time bomb," he said.

It's something he fears may explode sooner rather than later.

That and other worries of residents will be addressed at a public meeting Thursday in Durango.

**Daily Courier (AZ)**

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## **Editorial: Who should we believe after wastewater spill?**

By Tim Wiederaenders

8/18/2015 6:02:00 AM

The sprawling Navajo Nation in northeast Arizona borders the rivers downstream from the mine wastewater spill in Colorado that turned flowing water the color of mustard.

The Navajo Nation says it's waiting for test results from its own environment officials before deciding whether to declare the San Juan River safe for use, the Associated Press reported Monday. Tribal President Russell Begaye has advised Navajos not to let livestock drink from the river or use the water for crops.

Meanwhile, New Mexico has lifted water restrictions for the Animas and San Juan rivers, and Colorado has reopened the Animas to boating, the AP said. Utah also has given the OK for San Juan River to be used for crops and livestock.

Add to that the following from the Arizona Department of Environmental Quality (ADEQ): Officials announced Monday they have examined data provided by states upstream of Lake Powell and closer to the Gold King Mine spill. ADEQ's analysis of data released by the Utah Department of Environmental Quality of samples collected about 100 miles from Lake Powell (closest Utah sample) shows that water quality conditions in the San Juan River upstream of Lake Powell are generally consistent with pre-spill conditions.

"Based on what we're seeing with the water flowing into Lake Powell, we don't expect there to be noticeable change in water quality in Arizona," ADEQ Director Misael Cabrera stated in a news release.

I don't see it that clearly.

First, it reminds me of the elected official from the original "Jaws" movie who refused to declare a state of emergency one day ahead of their biggest tourism weekend. Go figure.

How about a real-life example? Try officials in Lake Havasu City who said in the 1990s they were all too happy to move the airport off the "island" to north of town, because temperature readings were registering five to as many as 10 degrees cooler in the new location.

Yep, 126 degrees (F) in the shade could scare away tourists. (Personal temperature reading on that one.)

The only sense officials begin to make in regard to the mine wastewater spill is when they cite the following: "To put this spill into perspective, the three million gallon estimated volume of the spill represents a miniscule fraction of a percent (0.000071 percent) of the total volume of water in Lake Powell (more than four trillion gallons as of July 29, 2015)," Cabrera said, adding that ADEQ does not expect this spill to have short- or long-term negative impacts to Lake Powell and the downstream Colorado River.

You decide, while rainwater harvesting continues to look better and better to me.

- Tim Wiederaenders, city editor

### **Daily Times (NM)**

[http://www.daily-times.com/four\\_corners-news/ci\\_28663607/interior-department-will-review-gold-king-mine-spill](http://www.daily-times.com/four_corners-news/ci_28663607/interior-department-will-review-gold-king-mine-spill)

## **Interior Department will review Gold King Mine spill**

Lawmakers request federal legislation to address damages

By Joshua Kellogg The Daily Times

UPDATED: 08/18/2015 09:58:50 PM MDT

FARMINGTON — The U.S. Environmental Protection Agency announced Tuesday that the federal Department of the Interior will lead an independent review of the Gold King Mine spill that released 3 million gallons of toxic wastewater into the Animas River from an abandoned mine north of Silverton, Colo., earlier this month.

The review's goal is to provide the EPA an analysis of the incident and any contributing causes, according to an EPA press release. The Interior Department's assessment is expected to be released in about 60 days.

Also in response to the spill, San Juan County lawmakers sent a letter to the New Mexico Congressional Delegation asking for federal legislation to address damage caused by the mine spill.

The letter, dated Tuesday, is signed by House Majority Leader Nate Gentry, R-Albuquerque; Rep. Paul Bandy, R-Aztec; Rep. James Strickler, R-Farmington; Rep. Sharon Clahchischilliage, R-Kirtland; and Rep. Rod Montoya, R-Farmington.

Several of the lawmakers are expected to speak about the letter during a 1 p.m. press conference today at the Farmington Civic Center.

In the letter, the representatives state they want legislation requiring an independent

environmental impact study on the immediate and long-term effects of the spill and to investigate the EPA's action before, during and after the incident. They also ask the EPA to compensate those affected by the spill and to create a plan for monitoring the spill's effects in both northern New Mexico and on the Navajo Nation.

The letter adds that such legislation would not be unprecedented. It points out that after the Los Alamos Cerro Grande Fire in 2000 devastated northern New Mexico, legislation was passed to create a Federal Emergency Management Agency office to process claims to compensate victims.

The blaze stemmed from a National Park Service prescribed burn that spread out of control, destroying hundreds of homes and causing nearly \$1 billion in damages.

Sen. Tom Udall, D-N.M., and Sen. John McCain, R-Ariz., also released statements Tuesday afternoon thanking the Senate Indian Affairs Committee for agreeing to hold an oversight hearing on the impact of the mine spill.

Earlier in the day, the senators sent a letter asking the chairman of the committee, Sen. John Barrasso, R-Wyo., and the vice chairman, Sen. Jon Tester, D-Mont., to hold a hearing on both the spill and other EPA activities, including the "cleanup of Cold War era uranium mining."

After touring the mine site and the Animas River from a helicopter, Republican presidential hopeful Ben Carson made a campaign stop in Durango, Colo. In a statement, Carson said the EPA, which has taken responsibility for the spill, needs to be accountable to the impacted residents and businesses.

"For too long, the EPA has used coercion instead of consensus; fines instead of finesse; penalties and punishments instead of pragmatism," he said in a statement. "If we want a better environment for our children, these practices must stop. Our environment needs solutions, not scolding and scapegoating."

Meanwhile, restrictions along the San Juan River remain in effect on the Navajo Nation.

The tribe's Office of the President and Vice President continued on Tuesday to advise tribal members against using water from the river for livestock watering, crop irrigation or recreational purposes, said a spokesman for the office, Mihio Manus.

Officials do not have an estimate for when the restrictions will be lifted, but Navajo Nation President Russell Begaye is expected to address that after more data is released by both the U.S. EPA and the tribe's EPA, Manus said.

"I cannot give you a date or time," he said.

The city of Aztec announced Tuesday it will start pumping water from the Animas River to its water treatment plant on Thursday. Aztec and Farmington stopped drawing from the river after the mine spill released pollutants into the Animas and then the San Juan rivers.

Aztec City Manager Josh Ray said officials felt comfortable pumping from the river after water testing results were released by the U.S. Environmental Protection Agency, the New Mexico Environment Department and the city of Farmington.

"We made sure to check the headgate and river pump to make sure neither of those are contaminated," Ray said.

As previously reported, Farmington City Manager Rob Mayes announced Monday that the city plans to resume piping river water to its treatment plant on Thursday if independent tests conducted Monday confirm that is safe.

Water from city municipal water systems remains safe to drink.

Reporter Noel Lyn Smith contributed to this report.

Joshua Kellogg covers education for The Daily Times. He can be reached at 505-564-4627 and [jk Kellogg@daily-times.com](mailto:jk Kellogg@daily-times.com). Follow him @jk Kelloggdt on Twitter.

## **Daily Times (NM)**

[http://www.daily-times.com/four\\_corners-news/ci\\_28656002/almost-two-weeks-after-spill-san-juan-county](http://www.daily-times.com/four_corners-news/ci_28656002/almost-two-weeks-after-spill-san-juan-county)

### **Navajo Nation farmers express concerns about quality of delivered water**

By Noel Lyn Smith The Daily Times

UPDATED: 08/18/2015 08:34:43 PM MDT2 COMMENTS

The Navajo Nation has an advisory still in effect that instructs ranchers and farmers not to use San Juan River water. Using the river water has been prohibited since about 3 million gallons of toxic wastewater was accidentally released Aug. 5 from the Gold King Mine north of Silverton, Colo., into the Animas and San Juan rivers.

On Monday, farmers voted 64-1 to have Shiprock Chapter President Duane "Chili" Yazzie write a memorandum to the Bureau of Indian Affairs asking it to deliver water containers and provide clean water for irrigation purposes.

The move comes after Shiprock Chapter's farm board member, Joe Ben Jr., complained about the condition of about 11 tanks that were delivered to the chapter by a contractor hired by the U.S. Environmental Protection Agency.

Ben alleges the tanks are not suitable to deliver water to farmers because he noticed water inside the tanks was brown and had a noticeable film and odor. A flier notifying residents of a meeting at the Shiprock Chapter house on Monday announced that participants would "address unclean fracking barrels."

Ben said he notified the EPA about the tanks and asked for certification that the tanks were in good condition to haul water. He said Monday that no one had responded to his requests.

During the emergency farmers meeting at the chapter house, Ben explained the situation to farmers and residents.

Sitting on a table were five plastic containers holding water samples — varying in color from yellow to brown — that Ben said were collected from the tanks.

Shiprock Incident Commander David Nez explained in Navajo that it would take a week to remove and thoroughly clean the tanks, followed by another week to return them to Shiprock.

After hearing Nez's explanation, some farmers stressed the need to water their crops as soon as possible.

Shiprock resident Bertha Etsitty said her son has been hauling water for his crops for the last four days.

"It doesn't make it all the way down the crops," Etsitty said, of water poured into irrigation ditches.

Etsitty mentioned she is also growing squash and said the vegetables were healthy looking 12 days ago.

"It hurts," she said about seeing her squash wilting.

Another Shiprock resident, Barbara King-Wilson, said it is important for the farmers to stand together and tell the EPA to supply a filtering system for the water.

San Juan County Executive Officer Kim Carpenter clarified Monday evening that when he lifted the ban on using the river, that only applied on the stretch of the Animas and San Juan rivers from the New Mexico-Colorado border to the lower valley area in Kirtland. He said officials with the EPA's Region 9 are still conducting tests on water that flows downstream from there.

Carpenter spoke about the Gold Kine Mine spill at a public meeting at the Farmington Civic Center that was attended by about 40 people.

An EPA official at the meeting presented river testing data showing that spikes in heavy metal concentrations occurring as the plume passed through the area were still well below screening levels for recreational use. Those levels are the first sign that officials should take a closer look at what is occurring and are set well below levels that would produce an immediate health threat, said David Charters with the EPA's national and international environmental response team.

After the plume passed through, levels of arsenic, lead, mercury, cadmium, zinc and copper in the river water and in the sediment deposited by the plume were either extremely low or couldn't be detected by the tests, Charters said.

Shiprock Chapter President Duane "Chili" Yazzie speaks on Monday during an emergency farmers meeting at the Shiprock Chapter house about San Juan River water. (Alexa Rogals — The Daily Times)

"We'll continue to deal with this as time progresses," Carpenter said. He said officials will continue to sample and test the water and sediment and work together on "how to prevent this in the future."



Sgt. Matthew Anthony, with New Mexico Game and Fish, said the department has nearly finalized a plan for long-term monitoring of potential impacts on wildlife that will look at birth rates, long-term absorption of heavy metals and other variables.

Farmington City Manager Rob Mayes said the results of tests conducted by the city of Farmington on Monday will be available on Thursday. If those test results are consistent with results from EPA and the New Mexico Environment Department, the city will resume piping Animas River water to its treatment plant, he said. He said it likely would be about a week before the city starts using Farmers Ditch to supply the plant.

Mayes said the city plans to install two sensors — one for acid mine waste and another for hydrocarbons produced by the oil and gas industry — that will automatically shut down the plant intakes when something is detected in the river.

The city of Aztec may start pumping water from the Animas on Wednesday, City Manager Josh Ray said Monday in an interview. The city lifted its restrictions on residential water use after San Juan County officials opened access to the river on Saturday night.

City officials have stressed that water supplied by Farmington and Aztec municipal systems is safe to drink.

Other emergency relief and testing operations were beginning to wind down in the county nearly two weeks after the spill, said Michele Truby-Tillen, spokeswoman for the San Juan County Office of Emergency Management.

Potable and non-potable water stations in the county are closing, as is the well water testing station at the San Juan County Sheriff's Office Lee Acres substation, the city of Aztec RV fill station and bottled water distribution at the Aztec Church of Christ.

A water fair with free water testing for private wells in Farmington and San Juan County is scheduled from noon to 5:30 p.m. Aug. 24 and 9 a.m. to 5 p.m. Aug. 25 at the Sycamore Park

Community Center, 1051 Sycamore St., Farmington.

Reporter Joshua Kellogg and Editor Chris Roberts contributed to this report.

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## **Denver Post**

[http://www.denverpost.com/news/ci\\_28662074/epa-inspector-general-review-colorado-mine-disaster](http://www.denverpost.com/news/ci_28662074/epa-inspector-general-review-colorado-mine-disaster)

### **EPA inspector general to review Colorado mine disaster**

OIG's investigations, audits and program evaluation divisions collaborating in review

By Staff and Wire Reports

The Denver Post

POSTED: 08/18/2015 04:27:27 PM MDT

The internal watchdog at the Environmental Protection Agency is launching a combined investigation among its three divisions into the cause of a spill from a Colorado gold mine that unleashed 3 million gallons of contaminated wastewater into rivers that supply water to at least three states.

Officials with the EPA's office of inspector general said the review also will focus on the

agency's response to the Aug. 5 spill from the defunct Gold King Mine near Silverton.

Jennifer Kaplan, a spokeswoman for the IG office, said the watchdog's investigations, audits and program evaluation divisions would take the rare step of collaborating on the review.

"That's unusual," she said.

But the intent is to enable a faster response to potential findings, as well as tap the expertise of each division.

"There is urgency here, for sure," Kaplan said.

EPA and contract workers accidentally unleashed 3 million gallons of contaminated wastewater as they inspected the idled mine.

The spill released heavy metals such as arsenic, cadmium and lead into a tributary of the Animas River, turning the river sickly orange and raising concerns about long-term environmental damage.

The spill affected rivers that supply water for drinking, recreation and irrigation in Colorado, New Mexico and Utah as well as the Navajo Nation.

The review by the EPA inspector general is being done in response to a request from Colorado congressman Ken Buck and two other members of the U.S. House Committee on Oversight and Government Reform.

"An independent OIG investigation is completely necessary, given that it took the EPA nearly 24 hours to even notify the public and local authorities about this disastrous spill," Buck said in a statement.

Lawmakers from both parties have criticized the EPA's response as slow and overly cautious. Leaders of oversight committees in the House and Senate say they are planning hearings after Congress returns from its August recess.

"Among the most basic and simple questions that Coloradans want answered after the Gold King Mine spill are, 'What is in the water?' and 'Is it safe?' " Sen. Michael Bennet, D-Colo., said last week.

Bennet plans to join with Sen. Cory Gardner, R-Colo., in asking the EPA inspector to follow up on several issues, including "the EPA's legal obligations to report a hazardous materials spill," according to Bennet's office.

EPA Administrator Gina McCarthy has said her agency takes full responsibility for the accident and expressed deep sorrow for the environmental harm caused to the Animas and San Juan rivers.

Last week in Colorado, McCarthy said her agency will conduct internal reviews and hire an outside agency to conduct an independent review.

"No agency could be more upset about the incident happening, more dedicated about doing our job and getting this right," McCarthy said.

Staff writer Mark K. Matthews contributed to this report.

**Denver Post**

<http://blogs.denverpost.com/thespot/2015/08/18/republican-ben-carson-makes-animas-river-spill-epa-2016-campaign/122628/>

## **In visit, Ben Carson makes Animas River spill a 2016 campaign topic**

By John Frank The Denver Post John Frank

8/18/15, 4:05 pm

Republican presidential candidate Ben Carson visited Durango on Tuesday and used the Gold King mine spill into the Animas River to draw attention to his plan to revamp the U.S. Environmental Protection Agency.

The move made Carson the first 2016 candidate to highlight the environmental disaster, though the former neurosurgeon is far from the first politico to see political implications in a 3-million gallon deluge of wastewater caused by an EPA-led crew.

“One wonders, if this accident had occurred at the hands of a private business, or even an individual property owner, would the EPA be as forgiving as they have been of themselves? I think not,” Carson said in a statement after the visit.

Carson, who is seeing a boost following the first GOP debate, toured the mine area by helicopter and met with local officials. His calendar also included a town hall at Rotary Park.

The candidate called on the EPA to perform a transparent investigation of the spill and provide “full compensation and reparations” to those affected.

He proposed the EPA pay the money from fines it collected from private companies who violate environmental rules, not tax dollars. "The EPA must face the same consequences and same accountability as they require of each of us," he said.

The focus is part of his effort to overhaul the EPA, for which he plans a new mission statement that downplays fines and penalties, allows for laws that protect business from "unnecessary liability" and incorporates a cost-benefit analysis in its regulatory decisions.

"We all want a better environment," he said in the statement. "We all want to protect the environment for generations to come. We all want more common sense in the administration of our environmental laws and policies."

Denver-based ProgressNow Colorado, a liberal advocacy organization, criticized Carson for politicizing the spill.

"Ben Carson is just the latest and most obvious example of the right wing shamelessly politicizing the Animas River mine water spill," said Amy Runyon-Harms, the organization's executive director in a statement. "Carson's campaign trip to Durango is a distraction that the people working to clean up the Animas River spill, and to prevent future mine waste disasters, do not need. Carson is in Durango to grandstand and misrepresent the EPA's work cleaning up not just Silverton's polluting mines, but environmental disasters across the nation caused by irresponsible private industry."

ProgressNow came under fire in recent days for statements that some perceived as an effort to downplay the EPA's role in the spill and deflect blame from the Obama administration.

### **Denver Post**

[http://www.denverpost.com/news/ci\\_28656860/navajo-farmers-suffer-after-colorado-mine-fouls-southwest](http://www.denverpost.com/news/ci_28656860/navajo-farmers-suffer-after-colorado-mine-fouls-southwest)

## **Navajo farmers suffer after Colorado mine fouls southwest rivers**

Navajo farmers and officials feel the EPA should be doing more to help them

By Jesse Paul

The Denver Post

POSTED: 08/18/2015 12:01:00 AM MDT

After more than a week without irrigating his field with the San Juan or using its waters to keep his horses hydrated, Etcitty, his long black hair waving in the evening breeze, pondered the river's meaning and was overcome.

"It's everything for us," he said. "It's a part of our life, they say. It's our livelihood."

In the Navajo Nation, where the San Juan runs 215 miles before emptying into Lake Powell in Utah, the 3 million-gallon Gold King Mine spill has put officials on alert for what they fear will be economic disaster. This mainly agricultural-based culture, where bartering is still widespread and a cow can be used as a car down payment, crops are drying up under an unrelenting sun.

Fearing the effects of contamination from the wastewater that was spilled from the mine, tribal officials have warned their people against using the San Juan's waters for irrigation or to feed their livestock. It wasn't clear Monday when the advisement would be lifted.

Farmers, however, say even after bone-dry irrigation ditches are running again, worries will persist — possibly for decades. The cost of the EPA-caused spill on Aug. 5 remains unclear, the tribe says, but they are seeing impacts across the 27,600-square-mile reservation.

"There's a huge loss of revenue for our people," said Russell Bengaye, president of the Navajo

Nation.

For a tribe of roughly 300,000 that officials say has an unemployment rate of about 50 percent and an average income of \$12,000, the calamity is pushing people toward the brink.

"There's no jobs," Simpson Bekis said Saturday as he sold Colorado peaches at a flea market. "They are few and far between. The younger generation is not interested in farming."

The EPA is providing the tribe with 100,000 gallons of water for agricultural uses each day that is quickly being drained by a line of farmers in need. Federal responders have delivered hay to chapter houses, and dozens of bales were snatched up in about 12 hours from one location in the townsite of Cudei between Friday evening and Saturday morning.

Tribal officials have complained federal aid did not come fast enough and say they're concerned whether the EPA is really going to pick up the mounting tab to care for Navajo fields and livestock. Farmers using the emergency water say they need more help.

"I'm going to lose about 6.5 acres of crops," said Robert Lapahie, who works for the Bureau of Indian Affairs, as he oversaw a water distribution site in Shiprock.

"We've been busy all day," he said as the procession unfolded before him.

Farmers in the Shiprock area who rely on the San Juan to irrigate their crops already were battling through perennial drought when the contamination crisis streamed into their communities.

Rosie Frank, a Navajo community leader who usually hauls water more than a mile from the San Juan for her sheep, said she isn't sure how she is going to pay for a spike in her water bill. She



said she isn't eligible for the EPA-provided water because of how far she lives from the San Juan.

Shirley Dodge, peddling squash and corn from the back of her car Saturday at the Bengaye Flea Market, said that although the food they grow serves as supplemental income, losing any of that money would hurt.

"In the back of my mind it's to feed my people," she said. "Fresh, organic."

Many fear that even when the San Juan is reopened to agricultural uses, consumers won't want to buy meat and produce from farms that irrigate with its waters.

"They're going to think about us (as) poison people," Carol Etcitty-Roger, president of the Gadii'ahi/To'koi tribal chapter, said during a break from overseeing the distribution of emergency materials.

The Navajo Nation's vice president, Jonathan Nez, said he wasn't sure if he would even eat meat raised along the San Juan.

"What's going to happen when people find out that the cattle they're being sold is from this region?" he asked. "It could really devastate ranchers here. "

In the meantime, Navajo farmers along the San Juan are just hoping they can water their fields again some time soon and salvage what is left of the season.

Timothy Coleman, whose expansive farmland along the river has been in his family for years, said he is trying to figure out how he will cope. Standing above a dry irrigation ditch on his property, he put his hands in his pockets, looked out at the thirsty alfalfa before him and shrugged.

"I guess I'll do something else," he said.

## **Denver Post**

[http://www.denverpost.com/news/ci\\_28661945/long-term-impacts-animas-river-spill-lie-beneath](http://www.denverpost.com/news/ci_28661945/long-term-impacts-animas-river-spill-lie-beneath)

### **Animas River: Long-term impacts of wastewater spill lie beneath the current**

By Kevin Simpson

The Denver Post

POSTED: 08/18/2015 03:53:12 PM

State and federal officials have offered assurances that the river is returning to "pre-event conditions," but uncertainty remains over the residue that still lurks beneath the surface flow.

Those remaining metals on the river bottom still could affect aquatic life, agriculture and other aspects of life along the water in ways that are difficult to predict.

"The long-term effects are the concern that every time we have some sort of a high-water event, whether a good rain in the mountains or spring runoff next year, that's going to stir up sediments and remobilize those contaminants that are sitting at the bottom of the river right now," said Ty Churchwell, Colorado backcountry coordinator for Trout Unlimited.

Added Dan Olson, executive director of the environmental group San Juan Citizens Alliance: "People on the ground understand that what we don't know is what we're worried about. And that's the sediment issue."

Peter Butler, co-coordinator with the Animas River Stakeholders Group, a diverse collection of entities that for 21 years has addressed metal loading in the Upper Animas Basin, remains optimistic that the worst has passed.

If sediment stirs again, he said, it will be more diluted.

"Where that ends up, whether concentrations would be higher or not, I don't know," he added. "I'm hopeful there won't be a lot of long-term impacts, particularly because the short-term impacts weren't that great."

Three million gallons inadvertently released from the Gold King Mine into Cement Creek above Silverton during an Environmental Protection Agency excavation gushed into the Animas and turned the river a shocking shade of orange.

But even as the plume passed days later and Gov. John Hickenlooper made a show of drinking water taken directly from the river, experts and advocates alike noted that the lingering metals such as cadmium, arsenic, lead and zinc pose unknown future risks.

In addition, they stressed that the current disaster should be viewed in the context of the river's long history with mining and particularly more recent issues that severely damaged the Animas' fish population.

The natural reproduction of fish in the Animas has been hampered by heavy metals and sedimentation for years. Since 2000, the river has seen an almost 80 percent decline in the fish biomass — the weight of all the trout collected in a certain area, said Jim White, an aquatic biologist for Colorado Parks and Wildlife.

The river basically doesn't have naturally reproducing trout.

To offset the lack of reproduction, the state, along with the U.S. Bureau of Reclamation, annually stocks the river with about 20,000 fingerling — months-old — rainbow trout, as well as about 2,500 of a "catchable" size of about 8-12 inches. The Southern Ute Indian tribe stocks about 80,000 more.

#### Focus on metals

Natural metals always have leaked into the Animas, although nobody knows what those levels were before mining in the area. But in the past 10 years, since a water treatment plant closed and other prescriptions failed, dissolved metals have increased, White added.

While heavy metals likely play a role in the deterioration of the fishery, so do naturally existing metals, drought, water temperature and sedimentation issues from various tributaries.

"I think it has to do with almost a more global water- quality issue," White said. "What we don't know is what the role of dissolved heavy metals plays with the health of the fish. That's something we hope to learn more about with the Animas River disaster."

Next week, state workers will make two passes, a day apart, and use electrical current to stun and mark fish to assess the river's population. Ten fish were delivered to the state health department on Friday to test tissue for metals.

Earlier, the state exposed 108 rainbow trout fingerlings to the fouled river water. Only two died.

"That tells me we never got to any sort of acute level of toxicity in the river," White said. "Honestly, we were surprised they survived that first plume."

So was Trout Unlimited.

"Our first concern was: Six hours from now are there going to be thousands of dead fish floating on the Animas?" Churchwell said. "Thankfully, that didn't happen. But the long-term effect, we'll be monitoring it."

#### Effect on fish

Shawn Rummel, a field and research manager for Trout Unlimited, noted that with an event like a 3 million-gallon blowout, metals might be in high concentration for a short amount of time that minimizes the effect on the fish population.

"But it could be either the concentrations weren't high enough to kill off the fish, or the exposure time wasn't high enough to kill off the fish," he said. "There's an interplay there that's hard to nail down."

Rummel echoed concerns about sedimentation that could affect the fish population directly as well as its food source — stream macroinvertebrates such as mayflies, stoneflies and caddisflies — as sediment coats the loose gravels on the river bed.

"With the initial plume, maybe there wasn't as big of a die-off, but long term it may become more of a habitat availability issue and also a spawning habitat issue," he said. "Those are pretty common concerns with abandoned mine drainage."

Long-term effects on agriculture hinge on the same issue of what lies beneath the Animas flow, said Perry Cabot, water resources specialist with the Colorado State University extension office.

While the testing focuses on suspended particles, it's the so-called bedload sediment that could become the source of future problems, he explained. Particulates sink in places where the flow slows — such as around irrigation gates — and that residue could accumulate any number of metals.

Those of greatest concern to agriculture are arsenic, cadmium, lead and mercury, Cabot added. Other metals, such as copper and zinc, are micronutrients that can be processed by plants, although not in massive quantities.

It's a question of degrees of toxicity posed by the accumulation of the metals. And some plants handle that accumulation better than others — grasses tend to tolerate it better than beans, for instance.

So Cabot is recommending to area farmers that they take advantage of local labs to process their own samples. That data could help them establish the safety of their products to buyers and avoid the kind of guilt-by-association that plagued innocent melon growers in the Arkansas Valley during the listeria outbreak in 2011.

"Because perception is everything," Cabot said. "If there's even a hint that maybe (toxicity) is there, if I'm a producer, I want to make sure I can definitively say I've had my water tested, and I'm not applying anything that has these four dangerous metals."

In addition, CSU offers an online water quality interpretation tool.

Cabot said that the agricultural impacts could have been far worse but for an unusually wet spring.

"The 'Miracle May' has brought a fair amount of good dryland crops that look fairly good," he said. "We have fields we haven't irrigated since May, and they've survived almost entirely on natural moisture."

Superfund or not?

River outfitter Bill Dvorak, who holds the first outfitting permit issued in Colorado, said the long view of the debacle on the Animas could be framed through the evolution of the Arkansas River, once beset by mining residue around Leadville.

Years after the area's designation as a Superfund site, the cleanup helped give rise to many miles of state-designated Gold Medal fishing waters on the Arkansas as well as a thriving river rafting industry.

Short-term, Dvorak said the efforts to address heavy metals and acidity have had a good impact that will return activities like rafting to normal. The Animas was reopened to recreation Friday.

But the longer-term solutions lie beyond holding ponds and other measures taken by authorities to mitigate the current problems, he said.

"My hope is that people realize this needs to be identified as a Superfund site so they can begin to clean it up," said Dvorak, who also works with sportsmen's groups for the National Wildlife Federation. "The immediate impact I don't think is going to be great. But the long-range deal is we need to do something about all the mining activity in the West and clean it up and make sure these things don't happen in the future."

But calls for steps like Superfund designation would encounter significant political opposition. And measures like a so-called good Samaritan law, which would allow various entities to participate in cleanups without risking liability, also face hurdles.

"The truth is, it's so complex and there are any number of players and legal issues," said Trout Unlimited's Churchwell. "It's not as simple as one mine popped its head and blew its water. If you walk away with one underlying theme here, it's that this is not an isolated incident. There are ticking time bombs all over the western U.S."

### **Denver Post**

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[http://www.denverpost.com/news/ci\\_28656384/colorado-mine-spill-now-threatens-navajo-nations-spiritual](http://www.denverpost.com/news/ci_28656384/colorado-mine-spill-now-threatens-navajo-nations-spiritual)

## **Colorado mine spill now threatens Navajo Nation's spiritual culture**

By Jesse Paul

POSTED: 08/17/2015 06:39:16 PM MDT

New Mexico, Utah drop water restrictions after Colorado mine spill

SHIPROCK, N.M. — The Colorado mine spill that contaminated the San Juan River has done more than hurt Navajo Nation farmers and ranchers. It threatens the tribe's native way of life.

Dying crops have gone without irrigation for more than a week after tribal officials barred use of the San Juan in fears of contamination. That means a decrease in the yield of corn seeds and pollen — the spiritual base of the Navajo tribal culture.

"The corn is our sacred plant," said Franklin Miller, who is helping organize the tribe's response to the Environmental Protection Agency-caused Gold King Mine spill on Aug. 5 near Silverton.

People here say these natural products have become even more precious, sought out and increasingly difficult to find in the upstream disaster's wake. The tribe fears the impacts of the spill could last for decades, meaning uncertainty for the corn yield and, further, their religion.

The Navajo use corn seeds in everyday prayer but also for a wide variety of ceremonies, including, possibly most importantly, puberty rituals for girls. Traditional tribal dishes, including kneel-down bread, blue corn mush and dried steamed corn, all use the seeds as well.



The tribe has been working hard in recent years to keep its culture and language alive in the face of a changing socio-economic landscape that has drawn many off the reservation. The older generation, which still speaks the Navajo language in everyday conversation and embraces their romantic, ancient way of life, fears the Gold King disaster could mean further departures from the past.

Many farmers in the Navajo's agricultural-based communities had already been struggling amid years of drought and the difficulties and costs of modern farming. There are now fears the river disaster could accelerate those problems.

"It's mostly affecting the elders," said Alphriam Jones, an emergency response volunteer. "They are the most upset."

For many Navajo, the river signifies life.

"The river is part of the bigger scheme of things," said Lenora Tsosie, a community worker.

Roy Etcitty, standing on the banks of the San Juan, said tribesmen once sprinted from sweat lodges along the river's banks into its cool flow to wash off in catharsis.

Now, he says, he's not sure if he would put his lips to the current for fears of what's inside. Even after officials reopen the San Juan, Etcitty says, he will fear the contaminants he can't see.

"All the water that comes from the mountains is precious to us," he explained. "Without the river, I don't know what we would be."

**Deseret News (UT)**

<http://www.deseretnews.com/article/865634855/Utah-Attorney-General-Sean-Reyes-to-tour-Colorado-mine-as-legal-action-remains-on-the-table.html?pg=all>

## **Utah Attorney General Sean Reyes to tour Colorado mine as legal action remains on the table**

By Dennis Romboy, Deseret News

Published: Tuesday, Aug. 18 2015 6:20 p.m. MDT

SALT LAKE CITY — Attorney General Sean Reyes will get a firsthand look Wednesday at the Colorado mine site that spewed millions of gallons of toxic water into southeastern Utah.

Reyes expects to start gathering evidence that could lead to legal action, though he said he wants to give the Environmental Protection Agency a chance to make good on its word to pay for any damage from the spill.

But Sen. Margaret Dayton, R-Orem, co-chairwoman of the State Water Development Commission, said she's uncomfortable with that.

"The more time we give them, the more damage is done," Dayton said during a commission meeting Tuesday. The commission includes legislators, county leaders, water district supervisors, and environmental and agricultural interests.

Reyes said he doesn't believe it shows weakness on Utah's part to take time to assess how the agency intends hold itself accountable for the disaster as EPA Administrator Gina McCarthy promised.

"I would like to see what that proposal is," he said, adding that if the agency doesn't live up to its

commitment, the state would consider legal remedies.

EPA and contract workers accidentally unleashed 3 million gallons of contaminated wastewater into the Animas River on Aug. 5 as they inspected the idle Gold King Mine near Silverton, Colorado. The spill released heavy metals including arsenic, cadmium, lead and mercury downstream in Colorado, New Mexico, Utah and the Navajo Nation, raising concerns about long-term environmental damage.

Colorado Attorney General Cynthia Coffman will join Reyes on the mine tour.

Reyes listed several areas where Utah could be compensated for damages, including emergency response, water testing, restoration of natural resources, and lost revenue and taxes.

Heavy metals in the water could also affect crops, wildlife and even people in the future, he said.

"All these questions we don't have answers for yet," Reyes said. "That will probably be the back-and-forth with the agency in terms from trying to fix a cost for reimbursement to the state."

Alan Matheson, Utah Department of Environmental Quality executive director, said taking water samples four times a day in four locations along the San Juan River has been very expensive and not part of the budget.

And it will continue to cost money as the state monitors water quality over time to ensure Utahns are safe.

"This event has been tremendously disturbing," Matheson said.

Dayton asked Reyes, who met with his counterparts from Colorado and New Mexico in

Durango, Colorado, last week, if he was able to find out whether the spill was "an accident on purpose" to qualify for federal cleanup money, or if "this really was an accident accident."

Reyes said in talking to some of the locals there was "some suspicion that the spill was not purely inadvertent. But I don't have anything more to report on that."

Rep. Mike Noel, R-Kanab, also questioned whether the spill was intentional, noting the EPA downplayed the severity and didn't notify the states for a couple of days. Noel represents San Juan and Kane counties, the two areas in Utah impacted by the contamination.

An outside entity needs to investigate why and how the spill happened, he said.

"Is this a criminal act? Is it a negligence act? Is it a gross negligence act?" Noel said. "Yes, yes, yes, is what I'm hearing."

The EPA announced Tuesday that the U.S. Department of the Interior will assess the factors that led to the incident and issue a report within 60 days.

### **Durango Herald**

<http://www.durangoherald.com/article/20150818/NEWS01/150819645&source=RSS>

### **Dr. Ben Carson draws a big crowd in Durango**

GOP presidential hopeful asks: What's the long-term impact?

By Chase Olivarius-Mcallister Herald staff writer

Article Last Updated: Tuesday, August 18, 2015 11:25pm

On Tuesday, GOP presidential contender Dr. Ben Carson made a lightning trip to Durango to decry the Environmental Protection Agency before a crowd of thousands at Rotary Park overlooking the maligned Animas River.

When it came to the EPA, Dr. Carson, a pediatric neurosurgeon who has been surging in national polls since his breakout performance at the GOP debates, didn't pull any punches, insisting the EPA should be held accountable for its role in the Gold King Mine spill, a position which earned him wild cheers.

"I took a helicopter ride to the Gold King mining site this morning and witnessed firsthand" the discoloration and "looked at the environmental impact caused by the EPA," he said.

An EPA contractor doing research at Gold King Mine in Silverton triggered the spill Aug. 5, sending more than 3 million gallons of metal-laden mining sludge cascading through Durango and across three states and led multiple counties to declare states of disaster.

Since 1994, Silverton has fought the EPA's attempts to list the area's draining mines, which have polluted the Animas River for more than a century, under the Superfund program.

Though scientists with the EPA and the Colorado Department of Public Health and Environment now say that metal concentrations in the Animas River have returned to pre-disaster levels, Carson said the larger issue of resulting environmental damage to the Animas is far from resolved.

"What's the long-term impact as metals seep into the ground ... and animals ingest them?" he said.

He told reporters after the speech that unlike Gov. John Hickenlooper, who drank a glass of Animas River water to illustrate that the river should be reopened for recreational activities, under no circumstances would he sip from the Animas around Durango.

“I certainly wouldn’t tell anyone to drink it. We don’t understand the long-term environmental impacts,” he said.

He accused the EPA of hiding behind governmental immunity, saying if an oil company had made a similar mistake, he doubted the EPA would “be so understanding.”

Carson described the EPA as dominated by “a bunch of bureaucrats who don’t know a bunch of anything” and who try to “control people’s lives” and promised under his administration, Americans would see “a different kind of EPA.”

“Under my administration, you wouldn’t have to sue the EPA, because I would get rid of all the old people and bring in people who understand the Constitution.”

In an interview after the event, he seemed to walk back his comments about firing each of the 17,000 people who now work for the EPA across the country.

“Not everyone,” he clarified. “But people who don’t understand the purpose of the EPA, which is not to make businesses miserable. I think they should be working along with industry, not as adversaries but as allies.”

Carson said he opposed Superfund status for Silverton as it might hurt the town’s reputation. Pursuing Superfund status should be up to the town’s residents, he said.

Also, Carson said if he were president, marijuana would be illegal across the country including Colorado. As a neuroscientist, he said, he knows too well the “deleterious affects on the

developing brain” and objects to legalizing a substance that sabotages Americans’ intellectual potential.

Throughout his speech, Carson repeatedly decried the influence of “secular progressives” on the national debate, which he characterized as nefarious, and cast himself as the opponent of all things politically correct.

At other points in his speech, Carson variously denied ever experimenting on fetal tissue, defined gay marriage as an issue for the states, challenged modern-day society’s penchant for “changing everything” given America’s historical greatness as a country, and declared America to be Judeo-Christian nation.

At 2,000-strong, the audience that Carson drew early Tuesday afternoon in Durango with only a day’s notice was nearly four times the size of the crowd that showed up to the EPA’s amply publicized public meeting on a Sunday night in the immediate, emotionally charged aftermath of the Gold King Mine disaster.

Carson’s speech earned rave reviews from Durangoans.

Durango’s Melissa Miller, 55, said, “He gives me hope in America.”

Fort Lewis College student and track coach Jacob Hetrick, 23, said he appreciated Carson speaking “from a nonpolitical point of view.”

Though John Ogorzalek, 56, who owns a mini-storage facility in Durango, said he hadn’t yet decided whether to vote for Carson, he found Carson “intelligent and well-spoken.”

Durango’s Rich Spraker said he didn’t agree with Carson saying “he’d get rid of the EPA.” He added, “I don’t really blame the EPA” for Gold King. But after flirting with Donald Trump, John Kasich, and Scott Walker, Spraker said after hearing Carson speak, he was sold: “I was

thoroughly impressed with him. This guy is only going higher, not lower.”

### **Durango Herald**

<http://www.durangoherald.com/article/20150818/NEWS01/150819618/Interior-Department-to-investigate-mine-accident->

### **Interior Department to investigate Gold King Mine accident**

Tuesday, August 18, 2015 11:24pm

The Environmental Protection Agency announced Tuesday that the Department of Interior will do an independent review of the Gold King Mine blowout.

According to a news release, the Interior Department will work to assess what caused the release of three million gallons of metals-contaminated wastewater Aug. 5 from the mine near Silverton. The wastewater spilled into Cement Creek, which is a tributary to the Animas River. The sludge polluted the Animas for several days as it moved downstream to its confluence with the San Juan River.

The EPA, using a contractor, was working on the abandoned mine when it hit an earthen wall that had water and debris built up behind it. The rush of contaminants caused the Animas River to be closed for eight days and affected thousands of users in several communities in Southwest Colorado, northern New Mexico and southeastern Utah.

The investigation began Tuesday. The news release also said details of the review by the Interior Department will be released as they become available, with full results anticipated to be made available to both the EPA and the public within 60 days.



“In addition to the independent review, EPA is conducting its own internal technical examination of the incident. Both reviews will help inform ongoing and planned site assessments, investigations and construction or removal projects,” the release said.

In other news about the Gold King Mine, the Silverton San Juan Incident Management Team announced Tuesday that it is repairing road damage in the area where the wastewater was released.

“Natural, earthen materials may enter Cement Creek, causing some discoloration,” the team said in a news release. “This discoloration is not from mine waste. Care is being taken to reduce the amount of material that may enter the waters of Cement Creek. These repairs are needed so that road traffic can safely reach the mines located above the damage.”

The release also said San Juan County has been receiving daily rain from the monsoonal weather patterns typical of this time of year. The higher flows may stir up sediment, but stream flows are normal.

### **Durango Herald**

<http://www.durangoherald.com/article/20150818/NEWS01/150819612/0/NEWS01/Celebrating-the-Animas->

### **Celebrating the Animas River**

River parade signals return of business, optimism

By Jonathan Romeo

Last Updated: Tuesday, August 18, 2015 11:24pm

4Corners Riversports owner Andy Corra stood along the banks of the Animas River, almost two weeks after a toxic mining spill critically contaminated its waters, and announced to more than 100 river enthusiasts: "Durango is back."

To prove the Animas River is open and ready for business, Corra and other local river-rafting companies Tuesday organized a show of support at the 32nd Street put-in. Corra said although the incident was devastating to the community, he hoped the events of the past month would at least create political pressure that would initiate real change and cleanup on the river.

Just before 5:30 p.m., a large gathering of kayakers, boaters, rafters and inner-tubers prepared to float down the Animas, many for the first time since the spill.

Durango resident Sam Glaser, along with his two daughters, showed some reservations before casting off.

"It's the sort of choice we have to make," he said. "It makes me a little nervous ... but we're exposed to all kinds of stuff elsewhere. I figure an hour-and-a-half on the river is probably worth the risk."

Rafting companies rebounding

Earlier Tuesday, businesses affected by the river's eight-day closure said the river celebration is part of moving forward.

"It's important to come together as a community and be there while the river heals," Jadea Braddy, office manager at Mild to Wild Rafting and Jeep Trails, said. "It's also really important to show the world the river isn't out there with a bunch of sludge and orange waste."

Levels of contamination have been deemed “below what would be a concern for human health” by state and federal health officials, and recreational businesses are eager to rehabilitate the public perception of the river that dominated news headlines across the country after an estimated 3 million gallons of mining wastewater spilled from the Gold King Mine outside Silverton on Aug. 5.

For most outdoor adventure companies that rely on summer tourism, June and July are generally catch-up months from the slow spring season, while the income accrued in August is considered financially crucial for the business’ overall revenue.

Braddy said the eight days the Animas River was closed took a “big economic toll” on the rafting and jeep tour company, and she hopes the Environmental Protection Agency, which is responsible for the spill, will reimburse lost incomes. Rafting companies have yet to quantify how loss of revenue and uncertainty about long-term environmental impacts will effect their businesses, but they said tourism is slowly rebounding.

“There has definitely been an increase in calls,” Braddy said. “We’re taking people back on the river, and we’re excited to be out there.”

On Tuesday evening, river enthusiasts were just happy to lazily float down through the heart of Durango or follow the procession along the river trail. The overwhelming majority of the crowd was not worried about contaminated waters, instead cheering the fact the river is open for use.

“I think it’s important to remember there’s mines all over the region that have been leaking for a really long time,” Luis Benitez, who serves as the outdoor recreation industry director for the Colorado Office of Economic Development and International Trade, said. “I believe in the state health officials and the EPA. I don’t think they’d put anyone in harm’s way.”

Skepticism lingers

But not everyone is convinced the river is safe for recreational activity. A few people at the 32nd Street put-in said it's not so easy to turn a blind eye to the orange sediment that contains heavy metals or that an estimated 864,000 gallons of wastewater continues to leak into the Animas River each day.

Resident Amanda Champany, who said she used to swim in the river before the spill, decided she needed a little more time before getting back into water.

"There's still sludge," she said. "I know there are heavy metals, and some can penetrate the skin. They talk a lot about the water quality, but not about the sludge."

However, river guides are adamant health officials would not have opened the Animas for use if the water posed a serious toxic risk to humans, reminding participants to wash with soap if they come into contact with orange sediment or discolored standing water.

Troy McLoed, who has owned Southwest Jeep and Raft for two years, takes a more cautious tone. He was unable to attend Tuesday's event because nearly all of his dozen or so employees quit, deciding to find new work or travel before the start of school.

However, he told The Durango Herald earlier in the day he is worried the spill will have a negative effect on tourism in the long run, similar to the 2002 Missionary Ridge Fire that burned about 73,000 acres of forest land.

"Now that the river's turned back on, it's not like the phone automatically starts ringing again," he said. "(And) people may decide not to come next year because they're still worried about the water."

### **Durango Herald**

## **Tipton letter to EPA demands answers about Gold King Mine spill**

Congressional group pressures agency

By Jonathan Romeo

Herald Staff Writer Article Last Updated: Tuesday, August 18, 2015 11:24pm

U.S. Rep. Scott Tipton, R-Cortez, and 29 of his congressional colleagues sent a second letter to the Environmental Protection Agency on Tuesday, demanding answers about the Gold King Mine spill. The letter presses EPA officials to better explain the circumstances of the Aug. 5 event that sent an estimated three million gallons of contaminated wastewater down the Animas River.

Since the orange sludge passed through Durango earlier this month, turning the river into a contamination zone, Tipton has been a vocal critic of the EPA, the agency responsible for causing the spill. Last week, he sent a letter to the EPA calling administrator Gina McCarthy to disclose plans for the cleanup of the contamination, and Monday, Tipton pledged to launch a congressional investigation into the agency's handling of the spill.

In his most recent letter, Tipton focused his questions on what led to the wastewater blowout, and the EPA's "unsatisfactory" response in the wake of the spill.

"We remain completely unsatisfied with the delay in notifying the impacted communities and elected officials responsible for preparing and responding to a disaster such as this one," he wrote.

Tipton asked why EPA officials took more than 24 hours to alert local agencies that a breach at the abandoned mine occurred and what steps the EPA plans to take in the future to avoid a similar delay.

He also demanded a timeline of the work on the mine to see any video or images of the incident if available and how much the EPA had planned to spend on the project that would have improved conditions at the Gold King Mine.

The EPA hired contractors for a restoration program that would have updated infrastructure in the aging mine. The EPA said those hired employees were working to reduce wastewater leakage when the structure holding back the toxic flow collapsed.

Tipton's letter dug for information on the contracted company, asking if the firm would be held responsible for "damages sustained by individuals or communities based on the work they were performing." He also asked at what frequency the EPA would continue to test the river and future plans for monitoring next spring when water levels are at its highest.

### **Fox 31 Denver News**

<http://kdvr.com/2015/08/18/durango-to-celebrate-reopening-of-animas-river/>

### **Durango to celebrate reopening of Animas River**

POSTED 6:01 AM, AUGUST 18, 2015

BY JIM HOOLEY

DURANGO, Colo. — People in Durango will celebrate the reopening of the Animas River on Tuesday. And residents will also get to ask the Environmental Protection Agency some very important questions about the river's recovery and its future.

The organizers of the celebration are planning a river parade Tuesday afternoon. They say they feel a sense of relief now that the river is open and they want to put the entire event behind them.

They're calling on boaters, tubers and bikers to turn out to mark the reopening. Every type of river craft is invited and marchers will parade along the river trail.

The celebration comes almost two weeks after the spill of 3 million gallons of contaminated mine water turned the river a nasty yellow and filled it with heavy metals.

The EPA is opening a local recover center as well. People can get information there about their health and safety, and possible financial assistance from any economic losses from the spill.

Also Tuesday, Republican presidential candidate Ben Carson will hold a town hall meeting with residents. That is scheduled for 2 p.m. The parade is scheduled to begin at 5:30 p.m.

### **The Hill**

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<http://thehill.com/policy/energy-environment/251407-carson-slams-epa-over-colorado-mine-spill>

### **Carson slams EPA over Colorado mine spill**

By Devin Henry

08/18/15 05:45 PM EDT

Republican presidential candidate Ben Carson slammed the Environmental Protection Agency (EPA) on Tuesday for its handling of a toxic spill into Colorado's Animas River this month.

"The citizens, businesses and peoples relying on the vitality of the Animas River deserve complete, transparent and expeditious accountability on this matter from the EPA," Carson said in Durango, Colo. He said the EPA should pay for clean-up costs the same way it would levy fines against private-sector polluters.

"I suggest that these reparations be paid from fines collected by EPA, and not by additional tax dollars from the general fund," he said. "The EPA must face the same consequences and same accountability as they require of each of us."

A team of EPA contractors inadvertently spilled 3 million gallons of toxic sludge into the Animas River earlier this month while inspecting an abandoned gold mine.

Carson toured the river by helicopter on Tuesday and later told supporters that the agency should not get a free pass for the spill.

"One wonders, if this accident had occurred at the hands of a private business, or even an individual property owner, would the EPA be as forgiving as they have been of themselves?" he said. "I think not."

Carson proposed a "new missions statement" for the EPA, including a focus on not harming the environment, issuing "objective" fines and penalties for polluters, and working with businesses and industries to write environmental regulations.

"We all want a better environment," he said. "We all want to protect the environment for generations to come. We all want more common sense in the administration of our environmental laws and policies."



Since the EPA's Aug. 5 spill, officials have worked to track water quality in the region, which has returned to pre-spill conditions. The agency ceased all future mine inspections until the cause of the spill is identified.

Administrator Gina McCarthy visited the site last week, apologized for the accident and called for internal and external investigations into it. The EPA's inspector general announced Monday that it had kicked off an inquiry.

The spill has drawn the ire of Republicans both at the Capitol and on the campaign trail.

Sen. Marco Rubio (R-Fla.), another presidential candidate, said last week that the spill illustrates the EPA's "incompetence." Front-runner Donald Trump said the incident proves the EPA should hand its duties over to state, not federal, regulators.

Lawmakers have promised to hold hearings on the matter when Congress returns this fall.

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### **International Business Times**

<http://www.ibtimes.com/colorado-mine-spill-2015-thousands-abandoned-mines-threaten-us-rivers-amid-slow-2057073>

### **Colorado Mine Spill 2015: Thousands Of Abandoned Mines Threaten US Rivers Amid Slow Cleanup Efforts**

By Maria Gallucci

August 18 2015 8:11 AM EDT

The western United States is pockmarked by hundreds of thousands of abandoned mines like the Gold King site in Colorado, which spewed yellow-tinted toxic sludge into the Animas River this month. The nation's early rush to dig gold and minerals, combined with decades of lax regulations, has left a massive, lingering mess that state and federal officials say they're still fighting to clean up.

The open sores on America's landscape are tainting the soil and groundwater supplies in the western states, destroying river and desert ecosystems and exposing millions of residents to arsenic, lead and other health-harming materials, environmental experts say. Yet agencies estimate it could take decades before these abandoned mines -- some more than a century old -- are safely shuttered. Until then, disasters like the Animas River spill, which dumped 3 million gallons of wastewater on Aug. 5, could strike again.

"The longer you wait to deal with the problem, the more you're going to have these failures and these spills occurring," said Ron Cohen, a civil and environmental engineering professor at the Colorado School of Mines in the city of Golden. "And they're going to happen more frequently as the years go by."

Roughly 500,000 abandoned hard-rock mines are scattered across the U.S., with most concentrated in the 12 western states, according to federal estimates. The numbers are rough, however. Officials are still tallying the actual number of inactive mines, which are often difficult for researchers to explore due to flooding, unstable ground or dangerous conditions. It's also possible to overestimate the number of abandoned mines; for instance, two surface openings that connect to the same underground tunnel system may be counted as two separate mines.

The U.S. Geological Survey is building a database that will identify abandoned mines, including specific features like shafts and open pits, but the information is not yet available for public access, geologist Peter Schweitzer said by email. The Bureau of Land Management, which oversees mines on public lands, has so far identified 48,100 abandoned sites within its jurisdiction. Around 80 percent of the sites still need further analysis or environmental cleanup efforts, according to the agency.

BLM Abandoned Mines

The Bureau of Land Management has counted 48,100 abandoned hard-rock mine sites on public lands, of which only 20 percent have been remediated or are in the process of being cleaned up.  
U.S. Bureau of Land Management

Abandoned mines can pose major threats to human health and the environment, although the scope of their risk depends heavily on the size, location and characteristics of each site. Dust containing arsenic, lead and radionuclides can blow from the mines and into surrounding communities. Heavy rains can wash away silt and debris from the mines, clogging waterways and flooding streets. And highly acidic water laced with metals can leak from sites for more than 100 years, polluting streams and contaminating fish habitats, harming people who drink the water or eat local fish.

Around 33,000 hard-rock mines have polluted local water sources or left behind piles of toxic “tailings,” the waste material created by processing ore to separate out metals. Mining activity across the board has contaminated about 40 percent of the streams connecting to watersheds in the West, according to the U.S. Environmental Protection Agency.

For most of U.S. history, prospectors and mining companies seeking gold, silver, copper and lead simply abandoned their mines after extracting all the valuable minerals. In the early 20th century, state rules on closing mines or handling toxic tailing ponds were weak. Cohen said he spoke in the 1980s with miners who worked in Colorado around the time of World Wars I and II. “They told me the environmental disturbance was merely a byproduct, a side effect of helping develop the country,” Cohen said.

Those attitudes started to shift in the 1970s, when the federal government began cracking down on rampant air and water pollution nationwide. In 1997, Congress adopted a series of policies to reclaim “abandoned mine lands” under the Surface Mining Control and Reclamation Act.

Undoing decades of widespread damage has proved an enormous task for the EPA, Bureau of Land Management and other federal agencies responsible for addressing the inactive hard-rock mines. The federal government spent at least \$2.6 billion from 1997 to 2008 to reclaim the sites, and agencies estimate they spent roughly \$85 million more every year in this arena.

But in order to clean the mines, agencies must first find where they are and establish what risks they pose. The Bureau of Land Management still hasn't taken an inventory of an estimated 93,000 abandoned hard-rock mines spread across public lands in California, Nevada and Utah. Validating those sites could cost the agency \$212 million and take 20 years to complete, assuming the work is carried out by 10 two-person crews, the agency said in a November 2014 report.

The threat of leaks and spills from these sites is a growing problem as more people move out West, boosting the population's overall exposure to contaminated water and polluted air. The Gold King Mine spill in Colorado was alarming not just for its size -- other spills in recent years have rivaled this one -- but for how close the brightly colored toxic sludge came to communities in Silverton and Durango and on the Navajo Nation reservation.

Cohen, the Colorado mine expert, said he hopes the alarm raised by this month's disaster will spur federal and state officials to accelerate their mine cleanup efforts. "It may rekindle that focus," he said.

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### **KJZZ Radio 91.5 (AZ)**

<http://kjzz.org/content/179881/adeq-expects-no-noticeable-change-arizona-water-quality-after-mine-spill>

## **ADEQ Expects No Noticeable Change In Arizona Water Quality After Mine Spill**

By Andrew Bernier

Aug. 18, 2015

The near 4 trillion gallons of water in Lake Powell will greatly disperse Gold King Mine contaminants to have minimal effect on Arizona water quality.

After examining water quality samples locally and from up river states following the Gold King Mine spill, officials do not expect mine contaminants to greatly impact Arizona water.

Coordinating with Utah officials, the Arizona Department of Environmental Quality (ADEQ) analyzed samples taken nearly 100 miles upriver of Lake Powell in the San Juan River.

The data suggests that water quality conditions are generally consistent with pre-spill conditions. Additionally, ADEQ has measured it's own samples of water in comparison to historical levels and standards.

It does not expect the spill to have short- or long-term negative impacts to either Lake Powell or downstream in the Colorado River.

As remnants of the spill disperse into the lake, it is worth remembering the full contaminant volume would only equate to 71 millionths of a percent of the water currently in Lake Powell.

**KSL.com (UT)**

[http://www.ksl.com/?sid=36012584&nid=148&fm=most\\_popular&s\\_cid=popular-5](http://www.ksl.com/?sid=36012584&nid=148&fm=most_popular&s_cid=popular-5)

## **Water from mine spill reaches Lake Powell**

By Dennis Romboy

Posted Aug 17th, 2015 @ 10:33pm

SALT LAKE CITY — Contaminated water from a Colorado mine has made its way to Lake

Powell, leaving Utah officials wondering about possible long-term effects.

Rep. Rob Bishop, R-Utah, spent Monday on the lake with federal and state officials and said he was encouraged by what he saw and heard about any immediate danger.

"They think it's fairly well-diluted. They expect it to be positive, but it won't be definite until later on," he said.

But Bishop still wants to hold the Environmental Protection Agency's feet to the fire "because that's short term. You really don't know what the long-term situations are."

Meantime, the EPA inspector general is investigating the cause of the spill and the agency's response, which has drawn much criticism for being slow. Rep. Jason Chaffetz, R-Utah, chairman the House Oversight and Government Reform Committee, requested the investigation last week.

Utah declares state of emergency, considers legal action over EPA spill

Gov. Gary Herbert issued a state of emergency Wednesday, while state officials contemplate legal action over the Colorado mine spill that sent contaminated river water to southeastern Utah.

The EPA and the Utah Department of Environmental Quality took water and sediment samples at the confluence of the San Juan River and Lake Powell, as well as other places on the lake over the weekend. Results were still being analyzed Monday, but the EPA said it does not expect any significant impacts to the lake.

There are no closures in the Glen Canyon National Recreation Area, but the National Park Service still urged recreationists Monday to carry their own drinking water and not rely on filtering or purifying water from the San Juan River.

EPA and contract workers accidentally unleashed 3 million gallons of contaminated wastewater Aug. 5 as they inspected the idle Gold King Mine near Silverton, Colorado. The spill released

heavy metals including arsenic, cadmium, lead and mercury into a tributary of the Animas River, turning the water mustard yellow and raising concerns about long-term environmental damage.

The EPA took responsibility for the accident and promised to pay for remediation.

The spill affected rivers that supply water for drinking, recreation and irrigation in Colorado, New Mexico and Utah, as well as the Navajo Nation.

Richard Hepworth, state Division of Wildlife Resources aquatics manager in southern Utah, said he doesn't expect any immediate impact to fish in Lake Powell, but he wants to "ensure people aren't eating bad fish" in years to come.

Much of the contamination dissipated before reaching the lake, but Hepworth said he suspects some of the heavy metals settled at the mouth of the San Juan River.

Everytime there's a storm or we get runoff events in the spring, you'll start seeing that show up more and more in fish down in the lake. I don't know enough about it to say, yes, it is going to be a problem, or no, it isn't. But we'll be watching for those problems.

—Richard Hepworth, DWR

"Everytime there's a storm or we get runoff events in the spring, you'll start seeing that show up more and more in fish down in the lake," he said. "I don't know enough about it to say, yes, it is going to be a problem, or no, it isn't. But we'll be watching for those problems."

Wildlife Resources already checks fish for mercury and will now do additional testing for a variety of heavy metals, Hepworth said.

Bishop reacted strongly last week to the EPA's role in the breach, calling it an "impressive double standard." Had a private company caused the spill, the agency would have come down hard, he said.

The House Natural Resources Committee intends to hold hearings on what happened and how the EPA plans to take care of it, Bishop said.

The congressman said he was impressed with EPA and National Park Service workers' response to the spill on the ground. But the EPA in Washington, he said, responded slowly to its own regional offices, as well as the states. He said there was no reason for the 24- to 48-hour delay.

"As I've said at other occasions, the federal government just owns too much to really be effective in its control and management, and that's sad," Bishop said.

Federal officials, though, were complimentary of how Utah handled the situation, he said. The state started testing the water and the fish as soon as it became aware of the contamination.

The Utah Department of Agriculture and Food last Friday lifted advisories against using San Juan River water for crop irrigation and livestock watering.

Based on the latest state evaluation of water samples, Utah State University veterinary toxicologists found the river's highest levels of contamination posed no harm to plants, soils and animals.

The majority of the mine contamination passed through San Juan County last Tuesday.

Contributing: Associated Press

**LA Times**

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<http://www.latimes.com/nation/la-na-river-spill-20150818-story.html>

## **Mine waste that fouled river isn't the only such sludge hidden in Colorado mountains**

By NIGEL DUARA

8/18/15, 4:00 AM

The San Juan Mountains' towering peaks poured gold and silver into the cities of the valley below, but nothing in this high, rugged country comes without a price.

The Environmental Protection Agency and a slate of state and local players have worried for decades about the poisonous waste and polluted water bequeathed by the rich mining history.

Locals thought the problem had been solved by pushing the toxic water back into the mountain. But then the mountain pushed back.

On Monday, the EPA's Office of Inspector General announced it would investigate the Aug. 5 spill and the agency's response. An EPA exploratory cleaning team narrowly escaped a 20-foot-high wall of orange water that coursed out of the Gold King Mine on Bonita Peak, about 12 miles north of Silverton.

Three million gallons of water laden with cadmium, lead and arsenic poured into tiny Cement Creek and from there into the Animas River, where Colorado and New Mexico officials cautioned people to stay out of the water and temporarily cut off irrigation to farms before restoring some use last week.

It is not the only source of pollution here. A series of other closed mines continues to pour 540 to 740 gallons of acid drainage per minute into Animas headwaters.

Who is to blame? The mining companies? The regulators who allowed the companies to plug a drainage ditch and let the water accumulate inside the mountain? Or the citizens of Silverton, who battled an EPA Superfund designation for more than 20 years?

No one can say for sure, but one thing is clear: The Gold King spill was years in the making.

"What's the original sin? Plugging that mine, then letting that water sit and letting the companies get away with it," said Mitchell Gillon, 30, who worked the mines for three years. "The EPA didn't make them fix it, and they're not going to do it on their own."

The mines' history is complicated, and any interconnectedness a mystery. With the flooding, no one can say with certainty whether one mine is connected to another and, if so, whose polluted water came out of Gold King.

Lithe and sinewy despite a months-long layoff from mine work, Gillon flicks a cigarette into Cement Creek without thinking, curses loudly and produces a pocketful of menthol cigarette butts to prove he is no litterbug.

"We love the place we live," he said, peppering his comments with a colorful combination of expletives delivered in a slight drawl.

"I want my kids, when I have them, to scratch their knees and bump their elbows here," he said. "We don't want this city gone. But we need mining back, responsible mining that won't dump metals like they did" in the 1890s.

Mine waste

Toxic waste streams out of the Gold King Mine near Silverton, Colo., last week. (Geoff Liesik /

Deseret News)

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Gold King closed in the 1920s, but another mine, the Sunnyside, was believed to have access to the same vein. To reach it, Standard Metal in 1959 drilled a massive pipe into the mountain, aiming to tap the vein of gold from underneath.

The so-called American Tunnel collected water from Sunnyside mine, and possibly from other mines, and dumped the toxic tailings into Cement Creek.

Then in 1972, the U.S. revised the Clean Water Act and the mine's wastewater became an expensive problem for Standard Metal. The company needed discharge permits and a treatment plant for the polluted water.

Standard Metal sold the mine and its pricey water treatment problem to a group that named itself Sunnyside Gold Corp., a subsidiary of Canadian mining giant Kinross Gold. The state of Colorado insisted that Sunnyside Gold contain or treat the seepages coming out of the mine.

The company closed the Sunnyside mine in 1991, but the mine tailings remained. Company officials' solution was to seal the hole with a concrete plug the size of a railway car. A similar plug was used at Gold King.

For decades, that was that. Polluted water continued to pool and seep out of the mine, but not from the American Tunnel. Facing yet more fines, the company struck a deal with the state in the form of a consent decree: The mine would continue to drip toxic metals into the water, but Sunnyside Gold would do multimillion-dollar reclamation projects downstream.

At the time, this was considered a success story in dealing with the EPA, which investigated the area as a potential Superfund site.

But Silverton is a tourist town now. So locals and the mining companies joined forces as the Animas River Stakeholders Group, seeking to avoid a Superfund stigma.

The Superfund program uses taxpayer money to clean up environmental messes but is a shell of its former self. The fund used to be supported by penalties assessed on chemical and petroleum companies, but Congress let that funding source lapse in 1995. The Superfund program announced it was out of financial reserves in 2003.

"We didn't want a Superfund because it is not super funded," said Bill Simon, co-founder of the Animas River Stakeholders Group.

Now, the owners of Gold King and Sunnyside are pointing fingers at each other and blaming the EPA.

"Kinross Gold Corp. [owner of the Sunnyside] is a rogue mining company," said Todd Hennis, who owns the Gold King Mine and blames Sunnyside for the accumulation of water.

"I believe Sunnyside knew it was going to happen and they stalled any action because it will cost them money to fix it," Hennis said.

Kinross categorically denied that Sunnyside had any involvement in the spill.

"The representative of Gold King mine is making unsubstantiated, baseless and irresponsible allegations," Kinross said in response to emailed questions from the Los Angeles Times. "To reiterate, while the state-approved [plug] Sunnyside completed was always expected to return the local water table towards historic natural levels, it did not cause the water buildup at Gold King."

Without going into the flooded mine, EPA regulators and mine experts say, it's impossible to

know whether cracks, fissures, fractures, geological faults or even exploratory drill holes after World War II could have connected the mines.

Since the spill, locals have complained that the EPA ignored warnings about toxic mine water and responded to questions with vague or nonexistent answers.

In a conference call with reporters last week, EPA Area Commander David Ostrander said the Sunnyside and Gold King mines "may have some connections back and forth." When asked later by email to clarify whether he believed such connections were possible, he replied, "We aren't going to comment on this."

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## **NPR**

<http://www.npr.org/2015/08/17/432600254/navajo-nation-farmers-feel-the-weight-of-colorado-mine-spill>

### **Navajo Nation Farmers Feel The Weight Of Colorado Mine Spill**

AUGUST 17, 2015 5:04 PM ET

LAUREL MORALES

Initially the agency downplayed the incident and provided little information. So Navajo President Russell Begaye traveled to the source of the toxic spill and posted a video of it on Facebook.

In the video, he stands in front of the still-leaking mine.

"This is the story that was related to us just now," he says. "The person was working the backhoe and trying to block off more of this area, but then he saw a spring ... and the water burst through here and it went straight down the mountain."

It's where rancher Irving Shaggy gets water for his family's livestock and to irrigate his fields.

"[I've] been growing sudangrass for my cattle and sheep, which is our livelihood," Shaggy says. "We sell the wool; we sell the cattle every year."

But Shaggy doesn't know if his cattle will be contaminated and unsaleable. He fights back angry, tired tears at the disruption of his usual routine.

"I mean, I'm upset, mostly because every two days I haul water to my livestock," he says. "And I get it from the river and I irrigate my fields."

Now, he says, he has to make a 70-mile round trip to get water.

"I can't irrigate," he says. "It's taking a lot out of me cuz I've been hauling out of the other river and that costs a lot of money."

Shaggy says the EPA isn't providing enough clean water or enough information, leaving him and hundreds of other farmers to speculate about the rest of the farming and ranching season — and the future.

"It's going to be a long struggle," he says. "The water's still contaminated and it's embedded in the mud and the rocks and the tree branches along the river."

This contamination brings up memories of other environmental disasters caused by the federal government. One in particular that Navajo people are talking about is uranium mine contamination — a decades-long legacy that still affects people on the reservation today. The EPA has only started in the last seven years to clean up those mines.

At an EPA meeting at the Shiprock Chapter House last week, a farmer spoke angrily to EPA representatives.

"These folks here are hurt," he said. "They're connected to the land. They're connected to the water. We can't be compensated for that. We can't be compensated for all the prayers that was given to that water of life."

"We are working hard very hard to get this right," answered EPA emergency responder Randy Nattis. "I'm frustrated. I know everyone here is frustrated. I haven't slept. No one has slept since this has happened."

The Navajo say it's difficult to trust the EPA when agency workers spent much of last week handing out forms to the farmers that would essentially waive their rights to sue the federal government for future damages.

The Navajo president said in a statement, "The Feds are protecting themselves at the expense of the Navajo people and it is outrageous."

### **Parker Pioneer (AZ)**

[http://www.parkerpioneer.net/news/article\\_2427f0be-451f-11e5-b13f-43bc32b3ae85.html](http://www.parkerpioneer.net/news/article_2427f0be-451f-11e5-b13f-43bc32b3ae85.html)

### **Mine spill likely won't affect Parker waters**

Posted: Monday, August 17, 2015 1:32 pm

By John Gutekunst Parker Pioneer

A spill of waste from an abandoned mine in Colorado is making its way through tributaries into the Colorado River, but it's unlikely it will affect surface, ground or drinking water in Arizona. La Paz County Health Department spokesperson Kim Poorbaugh said the waste is being drained and diluted as it heads downriver.

"The contamination level should be negligible by the time it gets here," Poorbaugh said Aug. 13.

The spill occurred Aug. 5 at an abandoned mine near Silverton, Colo. In published reports, the U.S. Environmental Protection Agency said they were attempting to insert a pipe into the mine in order to drain off the waste material and treat it.

They underestimated how much pressure had built up underground. As a result, 3 million gallons of waste material was released into the Animas River.

The spill includes high concentrations of arsenic, lead and other heavy metals. The governors of Colorado, Utah and New Mexico have declared states of emergency and closed portions of the Animas and San Juan Rivers that feed into the Colorado. The Navajo Nation has also declared an emergency and shut down drinking water intake systems.

The states of Colorado, Utah and New Mexico and the Navajo Nation are considering legal action against the EPA.

The Arizona Department of Environmental Quality issued a press release on the spill Aug. 10. They stated it did not appear the spill would affect water in Arizona.

"At present, available information suggests that the Gold King Mine spill has not affected Arizona's surface, ground or drinking water," the press release stated. "EPA preliminary data collected within 24 hours of the spill showed that contaminant levels were 50 percent lower after moving about 10 miles downstream of the release site - Lake Powell is located another 250 miles further downstream."

The release went on to say ADEQ would send a team of water quality monitoring professionals to conduct testing both upstream and downstream of Glenn Canyon, which forms Lake Powell.

In addition, they would be working closely with the state, local and federal agencies involved in order to monitor water quality.

Poorbaugh said the spill is not expected to affect ground, surface or drinking water in Arizona or



in La Paz County. She said water flows from dams have been increased to flush out the waste material. The EPA has also created eight drains to force the pollution out of the water.

Lake Havasu City water official Doyle Wilson added some of the compounds would settle at the bottom of lakes and reservoirs.

“It’s got to go a long way before it gets here,” Wilson said. “I would be surprised if we detected anything by the time it got here.”

Poorbaugh said the La Paz County Health Department would be working with the EPA and ADEQ to monitor the situation and keep the public informed about the spill.

Reporter Zachary Matson contributed to this story.

### **PBS News Hour**

<http://www.pbs.org/newshour/bb/toxic-spill-causes-hardship-navajo-farmers-ranchers-downstream/>

### **Toxic spill causes hardship for the Navajo farmers and ranchers downstream**

August 17, 2015 at 6:35 PM EDT | Updated: Aug 19, 2015 at 11:02 AM

#### **TRANSCRIPT**

JUDY WOODRUFF: It’s been 12 days since an accident at a defunct Colorado gold mine fouled rivers in three states.

Special correspondent Kathleen McCleery has an update on the impact the spill has had on Native Americans and others in Northwest New Mexico.

KATHLEEN MCCLEERY: The sunflowers in Upper Fruitland, New Mexico, are drooping.

LORENZO BATES, Speaker, Navajo Nation Council: When you look at them now, they're all hanging over because they haven't — they need water.

KATHLEEN MCCLEERY: On Lorenzo Bates' farm, it's not just sunflowers in trouble. The alfalfa, key for feeding his animals, is stunted.

LORENZO BATES: This is right now 12 days behind. This hay has to get me through the winter season.

KATHLEEN MCCLEERY: Bates, the speaker of the Navajo Nation, tallied his losses so far at \$1,000 in just one week, no small amount in this poor region. It's all because Bates and thousands of others here couldn't pull water from the San Juan River, which abuts his land. Irrigation ditches were shut down after the mine accident earlier this month 100 miles north in Silverton, Colorado.

Efforts by the Environmental Protection Agency to clean up one mine resulted in a breach at another, the Gold King Mine, which has been inactive since 1923. A three million gallon toxic stew of heavy metals poured downstream, turning the Animas River a shocking yellow.

The Animas flows south and meets the San Juan in Farmington, New Mexico. Then it snakes north into Utah, where it skirts the upper edge of the Navajo Reservation. Eventually, it turns south into Arizona and ends up in a branch of Lake Powell, a journey of nearly 500 miles.

Among those hardest-hit are the Navajos, the nation's largest Native American tribe; 300,000 of them are spread out on a reservation larger than 10 states. The chapter in Shiprock, named for its enormous rock outcropping, has issued warnings to its members.

DUANE "CHILI" YAZZIE, President, Navajo Nation Shiprock Chapter: Stay away from the river. Do not use the river water for anything.

KATHLEEN MCCLEERY: Chili Yazzie is the chapter president. He's coordinating water deliveries to tribe members.

CHILI YAZZIE: There are many livestock owners that rely on the river for water for their livestock. As the local government, we began delivering water to at least those livestock animals.

KATHLEEN MCCLEERY: An alphabet soup of state, federal and local agencies are working with Navajos and other farmers and ranchers to evaluate the problem and fix it. Public meetings happen nearly every day, where ordinary citizens can take concerns directly to officials.

WOMAN: I have to say, I want to believe you, but I'm not comfortable with the idea of cleaning a ditch after the season.

MARK HAYES, On-Scene Coordinator, Environmental Protection Agency: This was not something that was intentionally done.

KATHLEEN MCCLEERY: Mark Hayes is the on-site coordinator for the EPA.

MARK HAYES: This has deeply and greatly impacted a lot of people and put a lot of people at an inconvenience. So you can imagine that — the frustration that comes out of that. So, we still have some concerns out there. And we're not — we're not trying to downplay it or anything like that. But it's definitely a concern, and there's definitely a sense of urgency that we're trying to get this handled.

KATHLEEN MCCLEERY: The agency, which ordinarily investigates environmental disasters, has taken responsibility for this one.

Administrator Gina McCarthy:

GINA MCCARTHY, Administrator, Environmental Protection Agency: This is a tragic incident. I am absolutely, deeply sorry that this ever happened, but I want to make sure that we react positively, and in a way that's credible, and we move this forward.

KATHLEEN MCCLEERY: But that's not enough for New Mexico Governor Susana Martinez, who surveyed the scene last week.

GOV. SUSANA MARTINEZ (R), New Mexico: Well, we certainly expect the EPA to pay for every bit of the costs for this catastrophe. They caused it. They pay for it.

KATHLEEN MCCLEERY: The governor has threatened legal action against the EPA, as have Navajo leaders.

LORENZO BATES: It's a given that folks are going to sue the — the U.S. EPA. So President Obama is going to be the one that's going to end up at some point in time possibly signing a check. The question is, how big is that check going to be?

KATHLEEN MCCLEERY: Settling ponds are reducing the contamination for now. The Gold King Mine is not unique. There are a half-a-million abandoned mines around the country, more than 20,000 in Colorado alone. And some are leaking dangerous chemicals.

According to the EPA, a nationwide clean up could cost as much as \$50 billion. Back on the San Juan River, the golden hue has dissipated.

DENNIS MCQUILLAN, State Scientist, New Mexico: What we're doing now is measuring the electrical conductivity, the mineral content of the river water.

KATHLEEN MCCLEERY: State scientist Dennis McQuillan has run tests comparing river water with water from nearby wells.

DENNIS MCQUILLAN: So, remember, it's 474 in the river, so it's going to be stabilizing in just a minute.

KATHLEEN MCCLEERY: Almost 1,800.

DENNIS MCQUILLAN: Almost 1,800. And what this tells us is that this well has groundwater, not river water. This well has not been touched by the contamination in the river. And this is a really good thing.

KATHLEEN MCCLEERY: That allowed state officials to give an all-clear to resume drinking well water. Saturday night, they began scheduling irrigation and lifted the ban on recreational use of the river.

But they advised residents to wash with soap after contact with the water and warned against eating any of the fish. But the Navajos, a sovereign nation, haven't lifted their restrictions. And many are worried about the long-term environmental impact of the spill.

GOV. SUSANA MARTINEZ: Sometimes, when you look at the river, it seems like normal. But what has settled, but what solids have settled to the bottom of the river?

KATHLEEN MCCLEERY: Those solids could be roiled up in a heavy storm. Protecting and preserving the river is especially important for the Navajos, who've lived here for more than 600 years, and for whom the land and water have very special meaning.

DUANE "CHILI" YAZZIE: The water and the land are very central to our — to our way of life, not only physically, but spiritually. We are in a state of mourning. It's like losing somebody.

KATHLEEN MCCLEERY: I'm Kathleen McCleery for the PBS NewsHour on the Navajo Reservation in Northwest New Mexico.

**Phoenix New Times (AZ)**

<http://www.phoenixnewtimes.com/news/animas-river-spill-unleashes-potential-disaster-on-navajo-nation-7575696>

**ANIMAS RIVER SPILL UNLEASHES POTENTIAL DISASTER ON NAVAJO NATION**

BY MIRIAM WASSERWEDNESDAY

AUGUST 19, 2015 11:00 AM EST

Two weeks after an accident in an abandoned mine in Colorado caused more than 3 million gallons of toxic, heavy-metal-laden sludge to gush into the Animas River, disaster looms for the northern Navajo Nation.

Thousands of acres of farmland could dry up, and hundreds of families could see their primary source of income disappear.

Many miles of coastline along the San Juan River, a downstream tributary of the Animas, are designated agricultural areas, and many farmers there still are without a reliable source of uncontaminated water for their crops. Though the drinking-water ban was lifted on August 7 because residents receive their water from a reservoir upstream from where the Animas and San Juan rivers meet, the ban on accessing river water for crops and livestock still is in place.

The U.S. Environmental Protection Agency, which oversaw the contractor responsible for the spill, has been conducting water-quality tests for days along the hundreds of miles of affected waters and says most areas are at or close to pre-contamination levels. A sediment study from near Shiprock released Tuesday shows that “sample concentrations are trending toward pre-event conditions.”

Yazzi says there also are independent tests being done but that so far he and others have only seen the U.S. EPA’s results: “It’s saying the water is fine, but of course we’re skeptical.”

To prevent a catastrophic crop collapse, the EPA ordered a massive delivery of clean water for farmers to use. The company SSS Trucking was responsible for bringing in 11 16,000-gallon containers and the water to fill them, but when the first farmers lined up Saturday to tap into the supply, what came out of the valve was discolored, had an oily sheen, and smelled like petroleum.

“We were feeling some relief in thinking that we were going to be getting water to our crops,” Yazzi says. “We knew that the farmers up-river, the non-Native farmers, were doing exactly that [and] were having water delivered to water their crops from some of the same contractors that were hired to run the water here.”

He says the company “kept trying to assure people that the water was clean, but if the water comes out smelling like petroleum, you know it’s not certified clean.” (SSS Trucking did not respond to a request for comment.)

Most refused to use the water, though Yazzi relays a story he heard from a local farmer early Tuesday morning. The man said he had used the trucked-in water on his fields, and even now, a day later, it still smells faintly of petroleum and the plants are covered with an oily sheen.

“The hopes of the farmers of actually being able to save some of the precious crops were obliterated in an instant with the tainted water,” Yazzi wrote on Facebook recently. “EPA and SSS Trucking were told to take the water and dump it off Rez, to load up the tanks and get off the Rez . . . Now the Chapter, the Navajo Nation, and [the Bureau of Indian Affairs] are scrambling to secure other sources for water. Crops are getting thirsty; it is reaching critical stage. Pray for rain.”

There are at least 750 unique land-use permits for farming in Yazzi's area, but to calculate how many people are affected, he thinks you'd need to multiply that number by at least seven or eight because often multiple generations of the same family work on a farm together.

The EPA, having vowed to compensate people for spill-related damages, spent much of last week distributing paperwork for people to document their losses. But the documents included a tricky waiver that if signed, essentially absolved the EPA from paying out any future claims. Yazzi says a waiver like this is deeply problematic because "we know that a lot of the damage and effects of heavy metals are permanent, [and often] not seen for many, many years," and he adds that the EPA stopped distributing the forms following public outcry.

Still, it's the unknown long-term effects of the spill that really worry him. He wonders what will happen not just to humans and crops but to the wildlife — deer, bears, birds, and even wild horses — that drink the river water.

He knows that the nature of the media cycle is such that big issues like the Animas River spill may dominate for a week or so before people either lose interest or focus their attention on a new catastrophe.

"There have been a lot of tears shed. It's very painful situation that our farmers have been placed in. [But] I'm not really paying attention to how people are viewing this on a national basis [or] whether people are losing interest," he says. "Because it doesn't really matter if people lose interest — we're the ones stuck with the problems."

### **Pine River Times (CO)**

<http://www.pinerivertimes.com/article/20150818/PRT01/150819810/-1/prt/Vallecito-businesses-fear-tourism-impacts-from-toxic-mine-spill->



## **Vallecito businesses fear tourism impacts from toxic mine spill**

By Carole McWilliams

Times Senior Staff Writer Article Last Updated: Tuesday, August 18, 2015 3:34pm

Worries about area tourism impacts of the toxic mine spill in the Animas River were among the topics raised Monday evening at a La Plata County Commissioners "on the road" meeting at Vallecito.

"We've had half a dozen phone calls asking, is this a problem?" Pine River Lodge owner Donna Atkinson said, referring to the Aug. 5 toxic mine spill that turned the Animas River orange temporarily and made national news. "I haven't seen any problems losing customers, but I'm worried about the future." She worried that it will affect tourism in the entire area. Her family has owned Pine River Lodge for more than 50 years.

County Commissioner Brad Blake said, "It's real. People have cancelled property viewings." Local business development and promotion groups are working to address that, he said, citing the Durango Area Tourism Office (DATO), Durango Business Improvement District (BID), Durango Chamber and La Plata Economic Development Alliance.

County officials met with those groups on Aug. 10 and asked them to identify impacts on businesses, County Manager Joe Kerby said. They are being asked to quantify financial impacts and develop a strategy to combat negative effects on area tourism. That group is meeting once a week, he said.

"I do think there will be an impact we have to combat," Kerby said, citing the now-iconic picture in the Durango Herald of three kayakers in the orange water at Bakers Bridge.

County Commissioner Julie Westendorff said companies that rent paddle boards have been promoting area lakes as an alternate place for people to use their product.

County Emergency Management Director Butch Knowlton gave a recap of the toxic spill from the Gold King Mine above Silverton and the response to it. "We were notified on Wednesday, the 5th. I found out how bad it was from the train crews coming down the canyon. They said it's really ugly. Each one of the trains gave a report, and we were able to track it by milepost. We knew when it would get to the valley" north of Durango.

"The hard part for us was we didn't know what it was, how bad was the water," Knowlton said. "It took the EPA days to take (river water) samples and get them back to us. We finally determined the sediment wasn't as bad as it looked."

He commented, "It's been very rewarding to see the responses that came in, very expensive to the taxpayers of the U.S. This is the first time in my career that I've responded with a bunch of doctorate degree people. Some I enjoyed working with, some you'd want to push out the back door."

As of Monday, he said the Animas River was being affected by a pH imbalance that made the water green.

Westendorff said, "As an injured party, we're tendering bills to the EPA for (county) employees who were taken from their regular jobs, other costs, providing space to the EPA" at the fairgrounds. "And for business owners who lost business. We've given a list of demands to the EPA about compensation and fixing the situation with the mines. They are putting around 1 million gallons per day into the river. And there are other mines. And monitoring domestic water wells" near the Animas.

Commissioner Gwen Lachelt added, "We hired our own water expert to do independent testing and analyze the EPA's analysis," which she described as trust but verify.

"The EPA will be paying for that as well," Westendorff said.

Vallecito Chamber president Paul Eckenrode said, "We appreciate everything you've done. We'd be short-sighted to think we aren't affected in some way."

### **Salt Lake Tribune (UT)**

<http://www.sltrib.com/home/2852102-155/utah-lawmakers-speculate-feds-mightve-orchestrated>

### **Utah lawmakers speculate feds might've orchestrated toxic river spill, ask AG to investigate**

By BRIAN MAFFLY

First Published Aug 18 2015 08:36PM

Last Updated Aug 18 2015 11:05 pm

Two Utah lawmakers on Tuesday speculated that federal environmental officials might have deliberately triggered the Colorado mine release that sent 3 million gallons of toxic sludge into a San Juan River tributary, and asked Utah Attorney General Sean Reyes to investigate the possibility.

Reyes was briefing the Utah Water Development Commission when Sen. Margaret Dayton, R-Orem, suggested the Environmental Protection Agency could have breached the Gold King Mine in an effort to justify Superfund designation for the long-dormant gold mine.

Rep. Mike Noel, whose district covers Utah's southeastern corner, affected by the spill, joined Dayton in theorizing — neither offered evidence — that the EPA may have caused the release to help environmentalists put a halt to mining.

Reyes said he would inquire into the matter when he visits with EPA officials at the mine

Wednesday to assess the spill site, but a Salt Lake City environmentalist blasted Dayton and Noel's claim as "ridiculous, unprofessional, paranoid nonsense."

Zach Frankel, executive director of the Utah Rivers Council, noted that environmental activists agree EPA holds a lot of blame — for causing the release and for its slow response to it — but he believes Noel's suspicion is misplaced.

"To deliberately cause this would not only violate the Clean Water Act, there would be a whole set of criminal charges that could be filed," Frankel said in an interview.

He challenged the lawmakers to channel some of their outrage toward oil companies that contaminate Utah rivers.

"A year ago when an oil company polluted the Green River there were so many state interests willing to look the other way, but when EPA does it, suddenly it's a conspiracy," Frankel said.

In May 2014, an old well operated by S.W. Energy Corp. near Moab blew out, spilling thousands of barrels of hydrocarbon-laced water into the river just above Labyrinth Canyon. Frankel criticized the Utah Department of Environmental Quality for failing to adequately monitor water quality.

"They have no proof of contamination because they didn't go downstream to sample. They asked me what would be the purpose of that," Frankel said. "If it's an oil company, we don't need to sample, but if it's the EPA, you want damages."

In contrast to its response to the S.W. Energy blowout, he said, DEQ threw lots of resources at the Gold King spill as the acidic plume, laden with arsenic and other heavy metals, washed down the Animas and San Juan rivers on its journey to Lake Powell.

While questions remain about the spill's long-term impacts, monitoring indicates the short-term

crisis has passed.

"The numbers show we are below the standard of concern for irrigation and stock watering," said Alan Matheson, DEQ executive director.

Matheson said his agency has run up a huge tab confronting the crisis, dispatching numerous officials from the Division of Water Quality to the San Juan to conduct monitoring.

"We flew samples to Salt Lake to get results back within 24 hours," Matheson said. "We thought it key the folks in Utah know the impact as soon as possible. We have incurred significant expenses, significant overtime taken away from their normal jobs."

Reyes said he intends to recoup these costs, which EPA Administrator Gina McCarthy has promised would be paid, as well as help recover damages for ranchers and farmers who have had to haul water because the mine waste contaminated their irrigation supply.

"We need to be compensated for the emergency response and long-term remediation. We want someone to pay and at the very least it should be EPA and other culpable entities," Reyes said, referring to EPA contractors and the mine owners. "There are a lot of monitoring costs up front and over the long haul."

His office is exploring a variety of legal options and intends to wait to see how EPA responds to the affected states' claims before deciding on a course of action.

### **Wall Street Journal**

<http://www.wsj.com/articles/the-perpetrators-should-pay-for-the-epa-yellow-river-1439927026>

## **LETTERS The Perpetrators Should Pay for the EPA-Yellow River**

August 19, 2015

I hope the states of Colorado, New Mexico and Arizona wring some recompense from the federal government to repay their citizenry for their loss of income and for having to clean up what the EPA Mine Busters created.

Thank you for your Aug. 12 editorial "Mine Busters at the EPA." We Coloradans feel exactly as you have stated. The immense stupidity of the EPA is difficult to understand. You should see the dismay of all those in small Colorado towns along the contaminated rivers who depend on summer tourism for a living. The season for fly fishing, kayaking and river rafting is short to begin with, and now this 2015 season has a big hole poked in it as the contamination has essentially stopped all such activity for the remainder of this season.

The comparison to the damages sought on the Gulf Coast over the BP Horizon disaster is a perfect counter piece. I also thought of Duke Energy's coal ash 2014 debacle in Appalachia. It is difficult to understand how the EPA has immunity in such an instance. Perhaps it needs protection when trying to actually clean up an unfolding environmental disaster, but how about the disasters it actually creates from situations not requiring remediation? I hope the states of Colorado, New Mexico and Arizona (California, too?) are persuasive enough to wring some recompense from the federal government to repay their citizenry for their loss of income and to repay the states for having to clean up what the EPA Mine Busters created.

John E. McElhiney, Ph.D.

Centennial, Colo.

In July 1991 a Southern Pacific train derailed north of Dunsmuir, Calif., on the Sacramento River, spilling 19,000 gallons of Metam sodium, an agricultural pest fumigant with a hydrolysis half-life (decomposition in water) of 2.2 days and an even faster decomposition rate when exposed to air. That's 19,000 gallons versus the EPA's three million gallons and counting into

the Animas River in Colorado. It ran an opaque, sickening yellow orange for days, depositing toxic heavy metal sludge along an over 300-mile path headed for drinking water reservoirs and the Grand Canyon.

In 1991, 60 federal, state and local agencies descended on Southern Pacific demanding immediate action. Then-Rep. Barbara Boxer demanded congressional hearings, and Southern Pacific executives were immediately dragged to Washington, D.C. Demands were made for “reparations” and massive financial assistance with calls for company representatives to be jailed and fined. For its part, Southern Pacific responded within hours of the spill, hiring top national experts, spending unrestricted millions of dollars, hiring environmental clean-up experts and engaging world renowned toxicologists and engineers from all disciplines. In two weeks the toxins were gone.

Contrast that with the EPA’s recent Animas River spill. There were no hearings. The EPA took a couple of days to even admit what happened and then understated the spill by three times. The head of the EPA apologized and said essentially that accidents happen. The heavy metal sediments will be there for generations. Where is the public outcry? Where are the legions of plaintiffs lawyers descending like locusts on the affected townspeople explaining to them how sick they are and how bad this will hurt them? Where is Barbara Boxer and her “on-site” hearings?

Like the VA, the EPA will never be held to account. The SP, now part of Union Pacific, is still being held to account.

John F. Spisak

Lone Tree, Colo.

It is nice the EPA apologized for contaminating the Animas River, but that agency would not accept an apology if someone else or a business did this. There would be a big fine and other penalties. I think the person in charge of this operation should be fired or at least demoted, and the EPA should reimburse the affected states for their expenses. If they do not have the money, then they should lay off people to get the money they need, as would be done with any business.

Gary Oetting

King City, Calif.

The Journal justifiably criticizes the EPA for causing a bad situation and then making it worse. But what the editors fail to mention is who, exactly, left all those thousands of abandoned mines full of waste? Thousands of miners, both individual and corporate. Did the federal government make those mines and earn the profits from the metals extracted therefrom? No. Yet it is left to the feds, and by extension the American people, to clean up the private sector's mess.

Joseph Lowry

Arlington, Va.

While discussing with my family the EPA's release of toxic waste and the wrong way to address an error, we began to describe the color of the water as "EPA yellow."

David Birney

Derwood, Md.

**White Mountain Independent (AZ)**

[http://www.wmicentral.com/opinion/editorials/epa-toxic-spill-is-not-the-only-problem/article\\_43cfbf30-4549-11e5-b8fe-ef33d50f48a7.html](http://www.wmicentral.com/opinion/editorials/epa-toxic-spill-is-not-the-only-problem/article_43cfbf30-4549-11e5-b8fe-ef33d50f48a7.html)



## **EPA toxic spill is not the only problem**

Karen Warnick - The Independent

Posted: Tuesday, August 18, 2015 5:00 am

By now, there are plenty of outraged people in the western states of Colorado, New Mexico, Utah, Arizona and California over the 3 million gallons of mine waste that was “accidentally” released into the Animas River in Colorado by contractors for the Environmental Protection Agency.

They all have plenty of reason to be outraged: the spill was not reported to anyone until almost a full day after it happened; the agency has downplayed the toxic effects of the lead, arsenic, cadmium, aluminum, copper, and who knows what else (certainly not the EPA); the lack of communication with anyone involved; the slow response to doing anything about it; and the lack of information about how they are going to both fix it and help those who are most affected.

The EPA did accept full responsibility for the spill, for whatever good that does. Gina McCarthy, the head of the EPA has sincerely apologized, but then says things like: “the lag time is mainly due to the nature of the government’s efforts ... It does take time to review and analyze data ... As far as I know, we have been thankful that there are no reported cases of anyone’s health being compromised.”

Yeah, well, the effects of these toxic materials can take years to show up.

Politicians and officials of various agencies have had plenty to say: “This is a government bureaucracy at its worst: asserting itself more and more into the livelihoods of so many Arizona residents by claiming every backyard puddle is a protected waterway under EPA jurisdiction, yet failing miserably to properly handle a basic procedure to ensure a safe water supply,” Arizona Republican Party Chairman Robert Graham said. “This is one of the most visible and outrageous displays of incompetence at the hands of officials who seem to be doing everything except protecting our environment, and on behalf of Arizona voters we demand a full explanation and assessment of the harm caused to our environment.”

Others are already talking lawsuits and fining the EPA. What they don’t realize is that lawsuits will be paid for by the taxpayers. Fines will be paid by the taxpayers. Cleanup will be paid for by the taxpayers.

Because the EPA is not a private corporation, fining them will not do any good. It will only hurt all of us somewhere down the road when there isn’t enough money in some budget or another.

The denial by the EPA that there will be any major health problems once the spill has spread out is just plain crazy. We're talking about an agency that makes the lives of millions of people miserable for minor infractions of their rules and regulations.

Here are some of the real problems about this spill that aren't getting as much attention.

Long-term exposure to arsenic can cause blindness, paralysis and cancer. We all know what lead poisoning can do to the body as it's been banned in almost everything. For the EPA to downplay any environmental impacts goes against their own propaganda and just plain common sense.

There are over 55,000 abandoned mines in western states, and most of them are toxic. Why hasn't something been done before now? Why haven't the mining companies been held accountable to clean up their own messes? The Gold King mine has been abandoned since 1923.

Who is going to be responsible to monitor the millions of acres of rivers, streams, lakes, wildlife, humans, and vegetation that could, and probably will be affected by the toxins? Who is going to pay for all the cleanup, monitoring, and ill effects? Who is going to pay for the lost revenue of towns, communities, and small business owners who depend on those rivers, streams, wildlife and vegetation to feed their families?

Yeah, it will be us, the taxpayers.

For me the real problem is the EPA and its tyranny over all things they consider harmful. Here is something that is really harmful and it's being downplayed. They have just lost all credibility.

The real problem is doing something to reign in the EPA and the for-profit corporations that make billions of dollars exploiting our resources and who aren't being held accountable for their actions.

Anyone remember the Love Canal debacle? Chernobyl? Three Mile Island? The Gulf of Mexico oil spill? Fukushima? GMO's? Pesticides? Asbestos?

None of these will ever be over and to think that this new toxic blight will just go away is wishful thinking. It's not about the immediate effects. It's about the buildup of toxics from all sources in our world.

For decades we've been downplaying, ignoring and covering up the harmful effects of our modern technology. We've allowed, no, we've encouraged corporations to pollute our world, all in the name of progress (money).

The cumulative effects of all of this will one day rear its ugly head and it will be too late to do anything but watch our world die.

## **Yuma Sun (AZ)**

[http://www.yumasun.com/news/adeq-state-unlikely-to-see-effects-from-toxic-colo-mine/article\\_3c58a47c-462c-11e5-a2f9-139bfc7d0725.html](http://www.yumasun.com/news/adeq-state-unlikely-to-see-effects-from-toxic-colo-mine/article_3c58a47c-462c-11e5-a2f9-139bfc7d0725.html)

### **ADEQ: State unlikely to see effects from toxic Colo. mine spill**

Posted: Tuesday, August 18, 2015 9:39 pm

By Blake Herzog @BlakeHerzog

Arizona Department of Environmental Quality officials said Tuesday water quality readings north of Lake Powell lead them to believe the state won't see any effects from this month's spillage of 3 million gallons of mining waste into the Colorado River system.

Samples taken from the San Juan River about 100 miles upstream from Lake Powell in Utah, the closest point to Arizona that's been studied, have produced water consistent with conditions before the accidental release of sludge containing lead, arsenic and other heavy metals Aug. 5.

"Based on what we're seeing with the water flowing into Lake Powell, we don't expect there to be noticeable change in water quality in Arizona," ADEQ Director Misael Cabrera said.

Lake Powell at the end of last month held about 4 trillion gallons, Cabrera said, which means the 3 million spilled amounts to .000071 percent of the total volume of Lake Powell: "ADEQ does not expect this spill to have short- or long-term negative impacts to Lake Powell and the downstream Colorado River."

ADEQ spokeswoman Caroline Oppelman said the agency is expected to receive results by today from samples taken from Lake Powell and the Colorado River at Lee's Ferry last week, in the wake of the incident. "Those samples were taken to establish a baseline, like we do day in and day out," she said.

Environmental Protection Agency employees and contractors inspecting the Gold King mine near Silverton, Colo., inadvertently drilled through a wall retaining the mining wastewater, sending a dramatic yellow-orange plume into Cement Creek, which feeds into the Animas River, which in turn rolls into the San Juan River.

Local authorities on Friday began lifting use restrictions on the Animas and San Juan rivers as

water quality readings return to levels from before the incident, Oppelman said.

City of Yuma officials released a statement Aug. 10 that the incident is not expected to affect the city's water supply, taken mostly from the Colorado River, and relayed a quote from the ADEQ's Tuesday news release through its Twitter account.